

Property Maintenance Workshop for Elected Officials and Administrators

Hamilton County, Ohio



January 23, 2004

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ACKNOWLEDGEMENTS

Special thanks to all who have made the Property Maintenance Workshop for Elected Officials and Administrators possible:

TASK FORCE:

- Deanna Kuennen, Springfield Township
- Richard Osgood, Sharonville / PACE Professional Association of Code Enforcement
- Catalina Landivar-Simon, The Planning Partnership of the Hamilton County Regional Planning Commission

PRESENTERS:

- Keith Forman, The City of Cincinnati Prosecutor's Office
- James A. Foster, Greater Dayton Regional Transit Authority
- Guy C. Guckenberger, Hamilton County Court Judge
- Michael Hinnenkamp, Springfield Township
- Richard Osgood, PACE Professional Association of Code Enforcement
- Frank Prouty, The City of Cincinnati Prosecutor's Office
- Janette Matala, PACE Professional Association of Code Enforcement
- Jeffrey Wright, City of Milford

HANDBOOK AND EVENT COORDINATION TEAM:

- Karen Ambrosius
- Dyah Kartikawening
- Catalina Landivar-Simon, AICP
- Jay Springer

**The Planning Partnership
Hamilton County Regional Planning Commission**

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AGENDA

PROPERTY MAINTENANCE WORKSHOP FOR ELECTED OFFICIALS AND ADMINISTRATORS IN HAMILTON COUNTY

Friday, January 23, 2004

**Drake Conference Center Rooms F & G
151 W. Galbraith Road**

- | | |
|----------|---|
| 11:30 am | Hamilton County Jurisdictions, Current Situation
<i>Michael Hinnenkamp</i> |
| 11:50 am | Legal Environment and the Housing Docket
<i>Judge Guy Guckenberger</i> |
| 12:10 pm | Model Codes: what can be regulated
1. A Big Hammer in a Small Book
<i>Richard Osgood and Janette Matala</i>
2. Miami Valley Regional Planning Commission Codes as
Adopted by Townships in Montgomery County
<i>James A. Foster</i> |
| 12:30 pm | Case Studies
1. City of Milford - <i>Jeff Wright</i>
2. Prosecutor's Office - <i>Keith Forman and Frank Prouty</i> |
| 1:00 pm | Questions and Answers |
| 1:30 pm | Adjourn |

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PRESENTERS' BIOGRAPHY

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KEITH FORMAN

Assistant City Prosecutor, City of Cincinnati

Mr. Forman is an Assistant Prosecutor in the Criminal Court Division of the City of Cincinnati Law Department since November 2001 to the present. He has also worked as Housing Court Prosecutor from its inception in 2003. Mr. Forman has actively participated in discussion groups at various community centers regarding Housing Court issues.

Mr. Forman worked as Computer Analyst for Cincinnati Bell Information Systems from 1991 to 1997. Mr. Forman received a Bachelor of Science degree from the Xavier University in Computer Science, and a law degree from the University of Dayton School of Law in 2000.

Mr. Forman can be reached at Keith.Forman@cincinnati-oh.gov

JAMES A. FOSTER

Director of Planning, Greater Dayton Regional Transit Authority

After 18 years in local government, Jim was appointed in 2001 to the position of Director of Planning for the Greater Dayton Regional Transit Authority, serving Dayton and Montgomery County. Prior to that, he was the Deputy Administrator for Miami Township (Montgomery County), one of the largest in the state. He was Section Director of the Dayton-Miami Valley Section of the Ohio Planning Conference from 1990 through 1992, and was an active participant in the preparation of that organization's statewide planning conventions in 1991 and 1997. He has participated in all 17 previous Miami Valley Planning and Zoning Workshops and has been trained as an instructor with the Jennifer McSweeney Ohio Land Use Workshop since 1993.

Prior to his employment with Miami Township, he worked for a consulting planning firm and two civil engineering firms. He is a graduate of the State University of New York's School of Landscape Architecture at Syracuse, with an emphasis on land use planning. He is a member of the American Institute of Certified Planners and retains an Ohio Surveyor's License.

To his continued amazement, he is regularly asked to speak around the state on a variety of planning and zoning issues.

Mr. Foster can be reached at jfoster@mvrta.org

JUDGE GUY C. GUCKENBERGER

Hamilton County Municipal Court Judge

After finishing his bachelor degree in Economics in 1966, Judge Guckenberger continued his study at the University of Cincinnati School of Law in June 1969. He had a private law practice from December 1969 to February 1997, before he served as Hamilton County

Commissioner from February 1992 to February 1997, Cincinnati City Council Member, December 1970 to February 1992.

Judge Guckenberger received a number of awards such as Recognized in 1993 by the General Protestant Orphan Home (Beech Acres) and in 1996 by The Hamilton County Family & Children First Council for service involving children's issues, and Awarded the 33rd for outstanding community service, by the Scottish Rite, a Masonic organization in the fall of 1995. Judge Guckenberger also served on the Board of Trustees of the Elizabeth Gamble Deaconess Home Association, the parent body of The Christ Hospital, from 1975 to Nov. 1995 & honorary, nonvoting Trustee Emeritus of the Association since Nov. 1996.

Judge Guy C. Guckenberger was elected in November 1997 & November 1999, current terms expires 12/31/2005. He created and maintains the Court's Web site at <http://www.hamilton-co.org/MunicipalCourt/>. The site is a good source for up-to-date local rules, arrangement assignments and general information on the Municipal Court.

Judge Guckenberger is chair of the the Municipal Court's Legislative/Research committee and serves on its Court Technology and Probation committees. He regularly teaches judges about the Internet for the Ohio Supreme Court's Judicial College and is a member of the Ohio Judicial Conference's Technology Committee. Judge Guckenberger also is the author of "Using Your Computer to Find Information," at page 12 of the Third Quarter 2001 edition of For the Record, published by the Ohio Judicial Conference. (Source: <http://www.hamilton-co.org/municipalcourt/judgegcg.htm>)

Judge Guckenberger can be reached at gcgucken@fuse.net

MICHAEL T. HINNENKAMP

Springfield Township Administrator

Mr. Hinnenkamp currently serves as the Township Administrator of Springfield Township, Hamilton County, Ohio, a position he has held since 1995. Prior to this, he served as the Assistant Township Administrator and Director of Planning and Zoning in West Chester Township, Butler County, Ohio from 1989-1995, and the Township Planner for Green Township, Hamilton County, Ohio from 1987-89.

Mr. Hinnenkamp has a Masters Degree in Public Administration from the University of Cincinnati and a Bachelor's Degree in Urban Planning, also from the University of Cincinnati.

Mr. Hinnenkamp is the Past President of the Center for Local Government, a Board of Director Member of the Ohio Government Risk Management Plan, and a Board of Trustee Member of the Hamilton County Development Company. He is also a member of the International City/County Managers Association (ICMA), the Ohio City/County Managers Association (OCMA), and the Greater Cincinnati Local Government Managers Association (GCLGMA).

Mr. Hinnenkamp can be reached at mike@springfieldtp.org

JANETTE MATALA

City of Fairfield/Professional Association of Code Enforcement

Ms. Matala has been working as Code Enforcer with the City of Fairfield for 16-years. Her duties include enforcing Zoning and Property Maintenance Code, and she also have been involve as the Secretary for the Board of Zoning Appeals in the City of Fairfield.

Ms. Matala can be reached at jmatala@fairfield-city.org

RICHARD OSGOOD

City of Sharonville/Professional Association of Code Enforcement

Richard Osgood is the Project Manager for the Department of Building, Planning and Zoning for the City of Sharonville, Ohio. Professional Certifications include: Certified Building Official, Certified Property Maintenance Inspector (BOCA), Certified Zoning Inspector (BOCA), Class III Certified Building Inspector (State of Ohio—Commercial and Residential). Assisted in the BOCA “On-Line” course for Zoning Certification. Current member of Zoning Inspector Certification Exam committee (2002-present). Current trustee of OCEOA (Ohio Code Enforcement Officials Association). Founder and current trustee of PACE (Professional Association of Code Enforcement). Academic degrees include: MSArch, University of Cincinnati, and BA, Wesleyan University.

Mr. Osgood can be reached at rosgood@cityofsharonville.com

FRANK PROUTY

Chief Deputy Prosecutor, City of Cincinnati

Mr. Prouty can be reached at frank.prouty@cincinnati-oh.gov

JEFFREY WRIGHT

Assistant City Manager, City of Milford

Mr. Wright (Jeff) is the Assistant City Manager for the City of Milford and has previous work experience with Butler County Department of Development and West Chester Township. He will review Milford’s use of a Citizens Housing Committee and explain the process of cooperation between departments in enforcing the City’s Property Maintenance Code. As the administrator of the community planning and development efforts, currently Mr. Wright is staff to the Milford Planning Commission, Board of Zoning Appeals and City Council.

Mr. Wright can be reached at jwright@milfordohio.org

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HANDOUTS

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HAMILTON COUNTY JURISDICTIONS, CURRENT SITUATION

Michael T. Hinnenkamp

Property Maintenance Workshop January 23, 2004

Hamilton County Planning Partnership/PACE
Springfield Township's Experience and Plan



AGENDA

- Introduction/Summary of Presentation
- Township and Property Maintenance Codes ~
Not many have adopted one
- Why is this ~ Why is this Changing?
- Why is it Changing for Springfield Township?
- Neighborhood Action Plan Process



Legislative Authority



- R.C. 505.75 to 505.77
- Home Rule – R.C. 505.13
- Home Rule violations via civil citations and fines
- Traditional Township authority may only be enforced for injunction, abatement or other appropriate action to prevent violations of the code

PROPERTY MAINTENANCE

Current Situation



Here is what we do today...

- **ORC 505.87**
“Nuisance Abatement”
High grass, noxious weeds, trash, debris
- **Total Costs for Nuisances**
\$28,977.94 in 2001
\$61,708.33 in 2002
\$13,021.85 YTD in 2003
77 Assessments = \$57,550.74
Average Cost = \$750 each





PROPERTY MAINTENANCE

Current Situation



Here is what we do today...

- **ORC 505.86**
“Dangerous Property”

PROPERTY MAINTENANCE

Current Situation



Here is what other agencies do today...

- **Authority of the Health Department**
 - **ORC 3707.01**

The county board of health shall abate & remove all nuisances within its jurisdiction. When a building is in a condition dangerous to life or health, the board of health may declare it a public nuisance and order it to be removed or abated. The board may prosecute the owner for failing to obey such an order or may remove, abate, or otherwise improve or purify such nuisance and certify the costs to be assessed against the property.



PROPERTY MAINTENANCE

Current Situation



- **Authority of the Building Department**
 - **ORC 3781.10**

Building departments are authorized to inspect buildings and structures for townships and municipalities and to approve plans and specifications for proposed buildings. Such department can assist in the determination that a property constitutes a nuisance or dangerous property, but they lack the authority to abate the nuisance.

PROPERTY MAINTENANCE

Current Situation



Here are issues we are unable to address today...

- **Property Maintenance**
anything related to the actual structure
- Holes in roof
- Broken or missing doors/shutters
- Fallen or missing eaves/gutter
- General disrepair





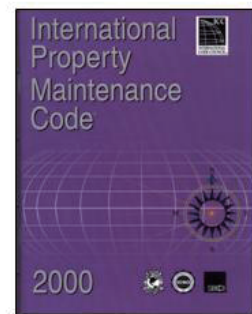
PROPERTY MAINTENANCE

BOCA International Property Maintenance Code 2000



Summary of the BOCA Code...

- 3 model code groups (BOCA, ICBO, SBCCA) merged to create the Int'l Code Council
- Provide a legitimate foundation to enforce minimum property maintenance standards
- Emphasizes the protection of **public health, safety, and welfare**
- Applies to ALL structures (no structures are grandfathered)



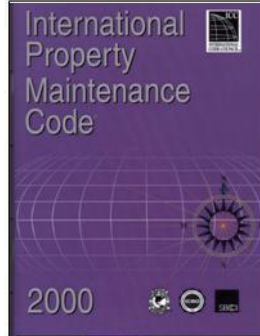
PROPERTY MAINTENANCE

BOCA International Property Maintenance Code 2000



What BOCA covers...

- Administration –
 - Powers of Code Official
 - Notices
 - Emergency Measure
 - Appeals
- Definitions
- Exterior Requirements
- Interior
- Rubbish & Garbage
- Light & Ventilation, Plumbing, Mechanical & Electrical
- Fire Safety



PROPERTY MAINTENANCE

Pros & Cons



Positive Aspects of PM Code...

- Provides “teeth” and speed to abating problems
- Problem Properties are NOT grandfathered
- Specifically addresses inoperable and unlicensed vehicles
- Comprehensive

Negative Aspects of PM Code...

- Fear of becoming “property police”
- Ability for residents to afford repairs
- Doesn’t cover everything – will still be issues that can’t address
 - Repeat offenders & vacant properties
- Need for staff & costs

PROPERTY MAINTENANCE

Questions



Questions that still remain...

- Can fines be issued or do violators get processed through courts?
How do you determine time limits for repair (fair)
- How do we establish relationship with social agencies or develop referral programs
- Can TWP offer assistance (ex: CDBG funds?)
- Exterior/Interior
- Volume of violations



- Questions?

HOUSING COURT FIGHTS BLIGHT

A common source of frustration for residents and officials in local jurisdictions is the long process that is involved in bringing properties with building and maintenance code violations into compliance. The Hamilton County Municipal Court's Housing Docket is here to help. The Municipal Court Housing Docket is a pilot program, where housing related misdemeanors can be referred by prosecutors from any jurisdiction within Hamilton County.

The Program has been authorized through December 31, 2004, when it will be re-evaluated by the Joint Housing Court Fights Blight Session of the Municipal Court. The Housing Court is in session on Mondays at 10:30 a.m. before the Honorable Judge Guy Guckenberger in the Hamilton County Courthouse. The "Housing related" misdemeanor cases are limited to only such misdemeanor offenses which involve potential incarceration or a fine in excess of \$100.00 (\$150.00 after 1/1/04) and a violation of any building, housing, sanitation, health, fire, zoning, or safety code ordinance, regulation or statute applicable to buildings, structures, or any other real property subject to any such code, ordinance, regulation or statute and any misdemeanors that accompany such charges.

The docket started hearing cases on January 13, 2003. To date 79 cases have been assigned to the docket, 25 of these cases are active or in *capias* status and 54 are "inactive." Inactive in this case means completed by dismissal or a determination of guilt or innocence. The docket has been very effective with respect to the cases handled. The threat and imposition of jail has been a much more effective tool to gain compliance than administrative fines. Vacant lots have been cleaned up, chronic noncompliant housing has been improved and a number of commercial buildings have brought code violations into compliance. One well-known downtown Cincinnati building has committed to spend about a million dollars to bring its elevators into compliance with fire codes in response to a Housing Docket case brought against it.

Judge Guckenberger states "If I have any complaint, it is that more cases have not been brought to the docket. I expect, in any case, the number of cases to grow steadily. The Cincinnati City Health Department, for instance, has a large number of lead cases it is preparing to bring to the Housing Docket. I also expect other jurisdictions in Hamilton County to make more use of the Housing Docket as they learn of its availability. Lincoln Heights has used the docket and other jurisdictions have inquired about the docket. "

Source:

Landivar, Catalina. 2003. Housing Court Fights Blight. Article published on UPDATE, December 2003 Issue, page 5. UPDATE is a quarterly publication of the Planning Partnership of the Hamilton County Regional Planning Commission. The newsletter can be accessed online at http://www.planningpartnership.org/update/2003_12.pdf

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A BIG HAMMER IN A SMALL BOOK

Richard Osgood and Janette Matala

The International Property Maintenance Code (IPMC) is a universal tool for the effective enforcement of property maintenance and housing violations. This code provides for the enforcement of both commercial and residential properties. Presently, over 80% of political jurisdictions in Hamilton County enforce some form of property maintenance code. Other jurisdictions use local zoning codes to abate violations and nuisances that the IPMC could otherwise address.

Of the 80% of jurisdictions enforcing property maintenance codes only 35% have adopted the IPMC. This presentation will demonstrate that local code enforcement authorities can utilize the IPMC for violation and nuisance abatement as well as having the granted authority to address the nuances of local conditions. Another important component of adopting the IPMC is the opportunity for national inspector certification. This can give credence to the inspector when processing a violation, particularly if the case reaches court.

The referenced standards for the IPMC include all of the related international codes such as the International Building Code, International Mechanical Code, International Plumbing Code and International Zoning Code. Testing for inspector certification also includes “Legal Aspects of Code Enforcement” as a reference text. This is a companion text to all inspector and code official certifications offered by the International Code Council.

PRESENTATION OUTLINE

1. Introduction.

- Provide a brief history and discuss benefits of linking with a national code.
- Introduce referenced standards and briefly discuss benefits of inspector certification.
- Briefly discuss the scope and intent of the IPMC.

2. Chapter 1: Administration

Discuss pertinent sections in detail.

3. Chapter 2: Definitions

Discuss pertinent definitions in detail.

4. Chapter 3: General Requirements

Discuss pertinent sections in detail.

5. Chapter 4: Light, Ventilation, and Occupancy Limitations

Discuss pertinent sections in detail

6. Chapter 5: Plumbing Facilities and Fixture Requirements; Chapter 6: Mechanical and Electrical Requirements; Chapter 7: Fire Safety Requirements

Provide a general overview and highlight pertinent sections as needed.

International Property Maintenance Code



A
BIG HAMMER
IN A
SMALL BOOK

CHAPTER 1: ADMINISTRATION

- Health, Safety and Welfare
- Community Values
- Property Values
- Existing Structures
- Existing Premises
- Minimum Standards



SECTION 102: APPLICABILITY

102.2 Maintenance: *Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.*

- **DEFINITION—Premises:** *A lot, plot or parcel of land including any structures thereon.*
 - **DEFINITION—Structure:** *That which is built or constructed or a portion thereof.*
- See Black's Law Dictionary for definitions of *agent*.

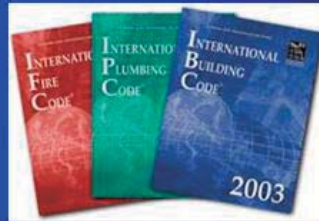
SECTION 102: APPLICABILITY

102.5 Workmanship: *Repairs, maintenance work, alterations or installations. . . shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.*

- **DEFINITION—Workmanlike:** *Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work*

SECTION 102: APPLICABILITY

102.3 Application of other codes: *International Building Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code and the ICC Electrical Code.*



SECTION 102: APPLICABILITY

102.8 Requirements not covered by code:

Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

- See definitions of *public health, public safety* and *public welfare* in Black's Law Dictionary.

SECTION 104: DUTIES AND POWERS OF THE CODE OFFICIAL

104.2 Rule making authority:

- *To adopt and promulgate rules and procedures.*
- *To interpret and implement the provisions of this code.*
- *To secure the intent thereof.*
- *To designate requirements applicable because of local climatic or other conditions.*

SECTION 104: DUTIES AND POWERS OF THE CODE OFFICIAL

- **104.3 Inspections:** *The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals.*

- **Inspection Bureau Incorporated (IBI)**
- **HAMCO General Health Plumbing Division**
- **Local Fire Departments**
- **Other Similar Approved Agencies**

SECTION 104: DUTIES AND POWERS OF THE CODE OFFICIAL

- **104.4 Right of entry:** *The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures.*
 - What are “reasonable times”?
 - What are “constitutional restrictions on unreasonable searches and seizures”?

SEARCH AND SEIZURE



- **The Fourth Amendment:**
The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

PLAIN-VIEW DOCTRINE

- *Item(s) observed in plain view from a lawful position or during a legal search.* (Black's Law Dictionary)



SECTION 107: NOTICES AND ORDERS

107.2 Form:

1. *Be in writing.*
2. *Include a description of the (property) sufficient for identification.*
3. *Include a statement of the violation(s) and why notice is being issued.*
4. *Include a correction order allowing a reasonable time to make the repairs and improvements.*
5. *Inform the property owner of appeal rights.*

SECTION 107: NOTICES AND ORDERS

107.3 Method of service:

1. *Delivered personally.*
2. *Sent by certified or first-class mail addressed to the last known address.*
3. *If notice is returned as undeliverable, a copy shall be posted in a conspicuous place in or about the structure (or property) affected by such notice.*

SECTION 108: UNSAFE STRUCTURES AND EQUIPMENT

108.1.1 Unsafe structures:

- *Dangerous to the life, health, property or safety of the public or the occupants*
- *Is so damaged, decayed, dilapidated, structurally unsafe . . . that partial or complete collapse is possible.*



SECTION 108: UNSAFE STRUCTURES AND EQUIPMENT

108.1.3 Structure unfit for human occupancy:

- *Unsafe, unlawful, in disrepair, unsanitary, vermin or rat infested, contains filth and contamination, lacks ventilation, illumination, sanitary or heating facilities.*



CHAPTER 1 REVIEW

- ✓ Applicability
- ✓ Authority
- ✓ Procedures
- ✓ Right of Appeal



CHAPTER 3: GENERAL REQUIREMENTS

- Provisions for maintaining main and accessory structures and exterior property areas.
- Provisions for maintaining the structural, sanitary and safety performance of the interior of a structure.
- Establishment of responsible parties.

SECTION 301: GENERAL

301.2 Responsibility

- *The owner of the premises shall maintain the structures and exterior property . . . Except as otherwise provided for.*
- *Occupants are responsible for that part of the dwelling unit or premises which they occupy and control.*

301.3 Vacant structures and land

- *Shall be maintained in a clean, safe, secure and sanitary condition.*

SECTION 302: EXTERIOR PROPERTY AREAS

302.1 Sanitation

- *All exterior property and premises shall be maintained in a clean, safe and sanitary condition.*
- *The occupant shall be responsible for areas which the occupant occupies or controls.*



SECTION 302: EXTERIOR PROPERTY AREAS

302.7 Accessory structures

- *All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.*



SECTION 302: EXTERIOR PROPERTY AREAS

302.8 Motor Vehicles

- *No inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises.*
- *No vehicle shall be in a state of major disassembly or disrepair.*



SECTION 303: EXTERIOR STRUCTURE

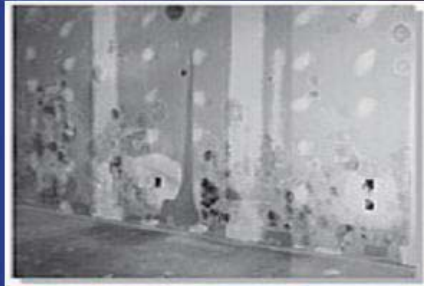
- *Protective Treatment*
- *Foundation Walls*
- *Exterior Walls*
- *Roofs and Drainage*
- *Windows and Doors*
- *Insect Screens*
- *Basement Hatchways*
- *Chimneys and Towers*



SECTION 304: INTERIOR STRUCTURE

304.1 General

- *Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition.*
- *Owners of any structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain all shared or public areas.*



RUBBISH OR GARBAGE?



RUBBISH

“Combustible and noncombustible waste materials, except garbage.”

305.2 Disposal of rubbish

- *Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers*



GARBAGE

“Animal or vegetable waste”

305.3 Disposal of garbage.

- *Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage container.*



SECTION 306: EXTERMINATION

306.1 Infestation

- *All structures shall be kept free from insect and rodent infestation.*



Chapter 3 Review



WHAT CAN WE DO?



WHAT CAN WE DO?



WHAT CAN WE DO?



WHAT CAN WE DO?



WHAT CAN WE DO?



BEFORE AND AFTER



Courtesy of
Candy Thomas,
City of Hilliard

BEFORE AND AFTER



Courtesy of
Candy Thomas,
City of Hilliard



Examples of abandoned properties



Photos by Janette Matala

MODEL EXTERIOR PROPERTY MAINTENANCE CODE FOR TOWNSHIPS

January 29, 1993

**Prepared by:
Miami Valley Regional Planning Commission
400 Miami Valley Tower - Suite 400
Dayton, OH 45202**

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MODEL TOWNSHIP EXTERIOR PROPERTY MAINTENANCE CODE

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ARTICLE I

PURPOSE

1.01 PURPOSE

The purpose of this exterior property maintenance code is to protect the public health, safety, morals and general welfare as it pertains to premises and buildings used for residential, commercial, and industrial purposes. This protection is hereinafter provided by:

- a) Establishing minimum standards for maintaining residential, commercial and industrial environmental quality to preserve and achieve the presentable appearance of existing structures and premises; avoiding blighting effects of the substandard maintenance of structures and premises and its negative impact on the value of surrounding properties; and eliminating hazardous conditions;
- b) Fixing the responsibilities of owners, operators and occupants of structures and their premises; and
- c) Providing for administration, enforcement and penalties.

ARTICLE II

TITLE

2.01 TITLE

This Code shall be known as “The _____ Township Exterior Property Maintenance Code” and is herein referred to as above or as the “Exterior Property Maintenance Code” or “This Code.”

ARTICLE III

DEFINITIONS

3.01 CONSTRUCTION OF LANGUAGE

For the purpose of this Exterior Property Maintenance Code certain terms or words shall be interpreted as follows:

- A. Words used in the singular shall include the plural, and the plural the singular;
- B. Words used in the present tense shall include the future tense;
- C. Words in the masculine gender shall include the feminine and neuter;
- D. The word “shall” is mandatory and not discretionary;
- E. The word “may” is permissive;
- F. The phrase “used for” shall include the phrases “arranged for,” “designed for,” “intended for,” “maintained for,” and “occupied for;”
- G. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; and
- H. The word “dwelling” includes the word “residence.”

3.02 DEFINITIONS

All words used in this Exterior Property Maintenance Code shall have their customary meanings, except those specifically defined in this Section.

BUILDING CODE: The most current edition of the State of Ohio building code, or such other code as may be officially designated by the _____ County Commissioners for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of all buildings and structures.

EXTERIOR PROPERTY AREAS: The open space on the premises and on adjoining property under the control of owners or operators of such premises.

JUNK OR INOPERABLE VEHICLE: A vehicle, including but not limited to cars, trucks, busses, trailers, and boats, shall be deemed a junk or inoperable vehicle whenever any of the following occur:

- A. The vehicle is without a valid current registration and/or license plate;
- B. The vehicle is apparently inoperable;
- C. The vehicle is without fully inflated tires and/or has any type of support under it;
- D. The vehicle has a substantially damaged or missing window, windshield, door, motor, transmission, or other similar major part.

PREMISES: A lot, plot, or parcel of land including the buildings or structures thereon.

PUBLIC NUISANCE: includes the following:

1. The physical condition, or use of any premises regarded as a public nuisance at common law; or
2. any physical condition, use, or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including but not limited to junk, inoperable or unlicensed vehicles, abandoned wells, shafts, basements, excavations, abandoned refrigerators, and unsafe fences or structures, or;
3. any premises which have improperly working drainage facilities; or
4. any premises designated as unsafe for human habitation or use, or
5. any premises, which is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecured as to endanger life, limb or property; or
6. any premises which is unsanitary, or which is littered with rubbish or garbage, or
7. any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction; open, vacant, or abandoned; damaged by fire to the extent as not to provide shelter in danger of collapse or failure, and is dangerous to anyone on or near the premises.

RUBBISH: Rubbish is both combustible and non-combustible waste materials, including car parts, motors, and abandoned appliances. The term shall also include rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust, and other similar materials, as well as the residue from the burning of wood, coal, and other combustible materials.

STRUCTURE: Anything constructed or erected which requires location on the ground or attachment to something having location on the ground.

ARTICLE IV

ADMINISTRATION AND ENFORCEMENT

4.01 APPLICATION OF EXTERIOR PROPERTY MAINTENANCE CODE

The provisions of the Exterior Property Maintenance Code shall apply to all premises and structures within _____ Township used for human habitation, commercial purposes, or industrial purposes which are now or may become in the future substandard with respect to structure, maintenance, proper drainage and sanitary conditions, or other similar conditions which otherwise constitute a public nuisance. The existence of such conditions, factors or characteristics adversely affects public health, safety, morals and general welfare and leads to the continuation, extension and aggravation of blight and its attendant negative effect on surrounding property values. Therefore, adequate protection of the public requires the establishment and enforcement of these property maintenance standards.

4.02 COMPLIANCE REQUIRED

Every portion of a building or premises used or intended to be used for residential, commercial, or industrial purposes, shall comply with the provisions of this Exterior Property Maintenance Code, irrespective of when such building has been constructed, altered or repaired, or premises occupied, except as hereinafter provided.

4.03 CONFLICT OF LAWS

In any case where a provision of this Exterior Property Maintenance Code is found to be in conflict with a provision of any zoning, building, fire, safety or health regulation or other regulation, the provision which establishes the higher standard for the promotion and protection of the safety and health of the people shall prevail.

4.04 EXISTING REMEDIES

Nothing in this Exterior Property Maintenance Code shall be deemed to abolish, impair, or prevent the execution of any existing remedies of _____ Township or its officers or agents related to the abatement of a public nuisance.

4.05 SEPARABILITY

If any section, subsection, paragraph, sentence, clause or phrase of this Exterior Property Maintenance Code is declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Exterior Property Maintenance Code, which shall continue in full force and effect, and to this end the provisions of this Exterior Property Maintenance Code are hereby declared to be severable.

4.06 SAVING CLAUSE

This Exterior Property Maintenance Code shall not affect violations of any other resolution, ordinance, code or regulation existing prior to the effective date of this

Exterior Property Maintenance Code, and any violation of such shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

4.07 ENFORCEMENT OFFICIALS

- A. Enforcement Officers. The Township Trustees shall assign the duties of administering and enforcing this Code to the Enforcement Officer. The Enforcement Officer may call upon any department, division or contractor of the Township for whatever assistance may be necessary to abate a violation of this Code.
- B. Liability. No officer, agent or employee of _____ Township shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this Code.

4.08 INSPECTIONS

The Enforcement Officer is authorized to make inspections of building exteriors and premises located within _____ Township for purposes of enforcing the provisions of this Exterior Property Maintenance Code. For the purpose of making such inspections, and upon showing appropriate identification, the Enforcement Officer is hereby authorized to examine and survey at any reasonable hour all residential, commercial, industrial and other premises.

4.09 NOTICE OF VIOLATION

- A. Content. Whenever the Enforcement Officer determines that there is a violation of the provisions of this Code, he may give notice of such violation to the person or persons responsible therefore and order compliance, as hereinafter provided. Such notice and order shall:
 - 1) Be in writing;
 - 2) Include a description of the real estate sufficient for identification;
 - 3) Include a statement of the reason or reasons why it is being issued;
 - 4) Include a correction order allowing a reasonable time for the repairs and improvements required to bring the property into compliance with the provisions of this code; and
 - 5) State the right of the violator to file an appeal of the notice with the Maintenance Code Appeals Board within ten (10) days of receipt of the notice.
- B. Service: A notice of violation shall be deemed to be properly served if one (1) or more of the following methods are used:
 - 1) By personal delivery to the owner or occupant of the premises or by leaving the notice at the premises with a person of suitable age and discretion; or
 - 2) By certified mail deposited in the United States Post Office addressed to the person or persons responsible at his/their last known address,

with return receipt requested. If a certified mail envelope is returned with endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Enforcement Officer. Service shall be deemed complete when the fact of mailing is entered of record, provided that the ordinary mail envelope is not returned by the postal authorities with an endorsement showing failure of delivery; or

- 3) By posting a copy of the notice form in a conspicuous place on the premises found in violation and publishing a legal notice in a newspaper of general circulation in the Township. The legal notice shall identify the owners of the property, the last address, if known, of the owners, the parcel identification, the location and nature of the violation.

4.10 EXTERIOR PROPERTY MAINTENANCE CODE APPEALS

- A. Appeals Board. To implement the purposes and requirements of this Exterior Property Maintenance Code, there is hereby created the Exterior Property Maintenance Code Appeals Board, hereinafter referred to as the Board. For the purposes of this Code, the _____ Township Board of Zoning Appeals shall function as the Exterior Property Maintenance Code Appeals Board.

1. Procedure. Said Board may adopt rules of procedure not inconsistent with this Code. No member of the Board shall take part in any hearing or determination in which he or she has a personal or financial interest. Three (3) members of the Board in attendance at any meeting shall constitute a quorum.
2. Authority. The Board shall hear all appeals relative to the enforcement of this Code, and by a concurring vote of the majority of its members may reverse or affirm, wholly or partly, or may modify the decision appealed from, and shall make such order or determination as in its opinion ought to be made. Failure to secure such concurring votes shall be deemed a confirmation of the decision of the inspector.

- B. Hearings. Any person affected by any notice of violation which has been issued in connection with the enforcement of any provision of this Exterior Property Maintenance Code, may request and shall be granted a hearing on the matter before the Exterior Property Maintenance Code Appeals Board provided that such person shall file in the office of the Enforcement Officer an appeal on forms provided by the Township. The appeal shall be filed within ten (10) days after the date of the notice and order, revocation or denial of permit. Upon receipt of such a petition, the Appeals Board shall set a time and place for hearing before the Appeals Board and shall give the petitioner written notice thereof by first class mail postmarked at least ten (10) days prior to such hearing. The hearing shall be held no less than ten (10) days and no more than thirty (30) days from the date the petition was filed. At such hearing, the petitioner shall be given an opportunity to be heard and to show cause why any item appearing on such notice and order should be modified, or withdrawn. The failure of the petitioner or his representative to appear and state his case at such hearing shall have the same effect as if no petition were

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- filed.
- C. Findings. Prior to sustaining any violation notice and compliance order, the Appeals Board shall make the following findings:
1. The violator was served with a Notice of Violation and/or Citation Tag as provided for in Sections 4.09 and 4.11.
 2. The Citation Tag and/or Notice of Violation that was served stated the specific nature of the violation; corrective action needed to be taken to abate the violation; and a specific time period for abatement of the violation.
 3. Within the time period stipulated in the Citation Tag and/or Notice of Violation, the violator failed to comply with the Notice of Violation by not abating the violation, and/or by not bringing the use into compliance with the _____ Township Exterior Property Maintenance Code.
 4. Upon expiration of the date indicated for compliance in the Notice of Violation, the property was being maintained in violation of specific provisions of the _____ Township Exterior Property Maintenance Code and/or conditions imposed by the Appeals Board as a prerequisite to the modification of a previous compliance order.
- D. Authority of Appeals Board. Within thirty (30) days of the close of the public hearing, the Appeals Board shall render a decision sustaining, modifying, or withdrawing any item appearing on the notice and order. The petitioner shall be notified in writing of such action.

4.11 CITATION TAGS

The Enforcement Officer is authorized and directed to provide citation tags which shall be used for the purposes of giving due notice and summons to the person or persons responsible for violations of this exterior property maintenance code.

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- A. Contents: Such citation tags shall be put in writing on an appropriate form, state the nature of the violation, refer to the section or sections of this resolution violated, and state the appropriate assessment or penalty therefore.
 - B. Payment of Assessment: Such person or persons, when a citation tag as herein provided is served to him, shall appear at the place or places designated upon such tag and shall pay the assessment for the violation noted on the citation. Upon payment of the assessment as provided within the time limit provided herein, no further action will be taken to prosecute the violation noted on the citation, provided remedial action, if necessary, is taken.
 - C. Notice and Future Violation: The citation tag, as herein provided, shall be sufficient notice, summons, and legal service thereof for the purpose specified thereon; provided, however, that the use of such tags shall not prohibit the issuance of either additional citation tags or a legal notice of violation as provided herein, in the event such violation is continued or repeated.
 - D. Establishment of Fee Schedule by Township Trustees: Prior to the issuance of any citation tag, the Township Trustees shall adopt by resolution a citation tag fee schedule assessment. From time to time and upon its own motion, Township Trustees may modify the citation tag fee schedule assessment.
 - E. Penalty Assessment: When a violation citation tag has been issued pursuant to this section, an amount established by the Township Trustees is hereby assessed on the violator. If the assessment is paid within the seventy-two (72) hour period immediately following the issuance of the citation tag, all assessments are reduced by fifty percent (50%) subject to additional citations and assessment if the violation is not terminated within twenty-four (24) hours. Failure to pay the assessment within a period of thirty (30) days after the date of service of the citation tag shall constitute a minor misdemeanor, punishable as provided in Section 4.99 of this resolution. Assessments may also be attached to the property taxes for the property in question.

4.12 PROSECUTION

In case any violation order is not promptly complied with, the Enforcement Officer may request the Township Attorney to institute an appropriate action or proceeding at law to exact the penalty provided in Section 4.99 of this Code, and in addition thereto, may ask the Township Attorney to proceed at law or in equity against the person responsible for the violation for the purpose of ordering him/her to abate such nuisance.

4.13 ABATEMENT OF NUISANCE BY TOWNSHIP AND COST RECOVERY

Should the nuisance not be abated at the expiration of the time stated in the notice or order of the Enforcement Officer or any extensions granted or such additional time as the Exterior Property Maintenance Code Appeals Board may grant, the Enforcement Officer shall be authorized at any time thereafter to request a court to authorize entry to take such action as deemed appropriate to abate the nuisance, in addition to any remedies provided elsewhere in this Exterior Property Maintenance Code.

In abating such nuisance, the Enforcement Officer may call on any department, division or contractor of the Township for whatever assistance may be necessary to abate the aforesaid nuisance or may, by private contract, abate such nuisance and the cost of the contract will be paid for from Township funds. All costs for abating such nuisance shall be recovered in the following manner:

- A. The owner(s) shall be billed directly by certified mail deposited with the United States Post Office. In the event the certified mail envelope is returned with endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail and the mailing shall be evidenced by a certificate of mailing which shall be filed by the Enforcement Officer.
- B. If the costs are not so recovered within thirty (30) days of receipt of the mailing described in Section 413(A), the Township may collect the cost in accordance with the Ohio Revised Code.

4.14 RULEMAKING AUTHORITY

The Enforcement Officer shall have power as may be necessary in the interest of public safety, health and general welfare, to adopt and promulgate rules and regulations to implement the provisions of this Code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions; but such rules shall not have the effect of waiving working stresses or fire protection requirements specifically provided in this Code or violating approved practice involving public safety.

4.15 TRANSFER OF OWNERSHIP

It shall be unlawful for the owner of any building or structure who has received a notice of violation to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice of violation issued by the Enforcement Officer and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such notice of violation.

4.16 ABANDONMENT OF CONSTRUCTION PROJECT

Any building or structure for which a building permit has been issued, and except for circumstances beyond the property owner's control (e.g., labor strikes, inclement weather, etc.), all construction work shall be diligently pursued to completion. Any construction project upon which no substantial work has been undertaken for a period of six (6) months, shall be deemed abandoned. Upon any construction project being deemed abandoned, all buildings or structures not completed to the degree such buildings or structures have been indicated on the plans submitted in support of a building permit, and all building materials and construction equipment shall be removed from the site.

4.99 VIOLATION AND PENALTIES

- A. No person shall violate any provision or fail to conform to any of the requirements of this Exterior Property Maintenance Code or fail to comply with any order made thereunder.
- B. Whoever violates any section of this Code shall be guilty of a minor misdemeanor and be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues.
- C. The application of the penalty provided in subsection (B) hereof shall not be held to prevent the enforced removal of prohibited conditions.

ARTICLE V

RESIDENTIAL EXTERIOR PROPERTY MAINTENANCE STANDARDS

5.01 APPLICATION OF MAINTENANCE STANDARDS

The following standards are applicable to all residential structures, dwelling units, residential portions of mixed use structures and all dwelling units located in commercial buildings.

5.02 STRUCTURAL SOUNDNESS AND MAINTENANCE OF DWELLINGS

Every foundation, exterior wall, and roof of every dwelling shall be so constructed and maintained and be kept in good repair and in safe condition so as to make all occupied rooms and other interior areas weather-tight, water-tight, rodent proof and so as to be fit for human habitation and so as to not adversely affect the neighborhood in which they are located. Good repair, maintenance and safe condition shall include but is not limited to the following:

- A. Foundations. Foundations shall support the building at all points and shall be free of all holes and cracks which admit rodents, water or dampness to the interior of the building or lessen the capability of the foundation to support the building.
- B. Exterior Walls and Surfaces. Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition which might admit rodents, rain or dampness to the interior of the dwelling.
- C. Windows. Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, be capable of being easily opened and held in position by hardware, and maintained so as to exclude adverse weather elements from entering the structure.
- D. Exterior Doors. Doors shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, windproof, and water-proof and be provided with door hinges and door latches which are in good working condition.
- E. Roof. Roof members, covering and flashing shall be structurally sound and tight so as to prevent the entrance of moisture and be maintained by renewal, repair, waterproofing or other suitable means. Roof drainage shall be adequate to prevent rain water from causing dampness in the interior portion of the building.
- F. Gutters. Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties.
- G. Chimneys. Chimneys shall be free of cracks, holes or missing portions and maintained in sound condition.
- H. Porch. Every porch shall be so constructed and maintained so as to be free of missing, defective, rotting or deteriorated foundations, supports, floors, other

members, and steps thereto, so as to be safe to use and kept in sound condition and in good repair.

- I. Structural Member. Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be renewed, restored, repaired, or replaced as is necessary to serve the purpose as originally intended.
- J. Exterior Surfaces. Except for materials that have been designed or manufactured to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose or peeling paint or covering.
- K. Basement. Basement or cellar hatchways shall be so constructed and maintained as to prevent the entrance of rodents, rain and surface drainage into the dwelling.
- L. Decorative Features. All cornices, entablatures, bell courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

5.03 PAINT AND COATING MATERIALS

All paint and other coating materials shall be free of any lead. These materials shall also be free of dangerous substances banned from general use by authorized federal, state, county, or local regulatory agencies for health and safety reasons.

5.04 EXTERIOR PROPERTY AND STRUCTURE EXTERIORS

All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.

- A. Exterior Space. The exterior open space around each dwelling shall be maintained or so improved so as to provide for:
 - 1) The immediate diversion of water away from buildings and proper drainage of the lot;
 - 2) Grass, plantings or other suitable ground cover to prevent soil erosion which is or may become detrimental to the structures, lot use or adjacent lots and structures;
 - 3) Yard-walks, parking areas, and driveways of a concrete, asphalt, pavers or similar surface which are of sound construction and properly maintained; and
 - 4) Exterior steps which are of sound construction and properly maintained free of hazardous conditions.

Maintenance. The exterior of all premises and every structure thereon including but not limited to walls, roofs, cornices, chimneys, drains, towers, porches, landings, fire escapes, stairs, signs, windows, doors, awnings, and all surfaces thereof, shall be maintained so as to avoid any blighting effects on neighboring properties and shall be painted or protected where necessary for the purpose of preservation. All canopies, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, porches, balconies, and similar overhanging extensions, where exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration.

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- C. Fences and Walls. All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such approved fences, retaining walls, or similar structures shall always be in the state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.
 - D. Yards. All yards, courts, and lots shall be kept free of overgrown grasses, debris and other materials which may cause a fire, health, safety hazard, or general unsightliness.
 - E. Hazards. Hazards and unsanitary conditions shall be eliminated.
 - F. Occupancy. No temporary buildings, trailers, recreational vehicles, tents, or garages shall be used temporarily or permanently as a residence in the course of construction.
 - G. Storage. Except as provided for in other regulations of the Township, all outdoor storage of any kind shall be prohibited.
 - H. Drainage. All portions of all premises shall be so graded that there is no pooling of water or recurrent entrance of water into any part of any building except when such pooling or retention of water is part of a plan approved by the County Engineer. All condensate and waste cooling water shall be appropriately discharged into an approved drainage system.
 - I. Drainage Swales. Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant shrubs and/or trees, or discharge, empty, or place any material, fill or waste into any swale so as to divert or impede drainage flow. Small swales can be mowed as part of the yard. Larger swales in meadow situations should be mowed less frequently in order to allow grasses to grow taller to retard runoff and prevent erosion. Swales in woodland areas should be left in their natural condition leaving understory growth to retard runoff and prevent erosion.
 - J. Junk, inoperable or Unlicensed Vehicle. No junk, inoperable, or unlicensed vehicle shall be located on any residential property, except when stored within a completely enclosed building.

5.05 VEGETATION

- A. Vegetation Cutting Required. All grass, weeds or rank vegetation shall be periodically cut and in no case shall exceed a height of eight (8) inches.
- B. Maintenance of Plantings. All plant materials, especially trees and shrubs, afflicted with decay, disease, insect infestation, or otherwise considered dangerous to other plant material shall be removed or appropriately treated. All sound plant materials, especially trees and shrubs, shall be properly maintained and not evidence signs of neglect.

5.06 STAIRWAYS

- A. Exterior Stairways. All exterior stairways on all residential premises shall be in accordance with the following provisions:

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- 1) stairways shall be maintained free of holes, grooves, and cracks which constitute a safety hazard;
 - 2) stairways shall be maintained free of rotted or deteriorated supports;
 - 3) stairways shall have treads of uniform width and risers of uniform height; and
 - 4) stairway handrails and/or railings shall be firmly fastened and maintained in good condition. Where the absence of handrails and/or railings create a hazardous condition, the Enforcement Officer may require their installation in accordance with the provisions of the _____ County Building Code.

5.07 ACCESSORY STRUCTURES

- A. Accessory Structures. All structures accessory to the dwellings, including detached garages, shall be maintained structurally sound, neatly maintained, and in good repair or shall be razed to grade level and debris removed from the premises.

ARTICLE VI

COMMERCIAL EXTERIOR PROPERTY MAINTENANCE STANDARDS

6.01 GENERAL PROVISIONS

Every commercial structure and commercial unit shall meet all of the provisions and requirements of the official zoning code, building code, fire code and health ordinance applicable to the structure and its intended and present use. Where these codes require the provision of a particular facility or equipment, or where they set a structural or installation standard, such related parts of every commercial structure and commercial unit shall be maintained to the minimum standard provided for in the applicable section of this Code or to the minimum standard provided for in the above codes, whichever standard is higher.

The following commercial exterior property maintenance standards are applicable to all commercial structures, commercial units, and portions of mixed use structures which are devoted to commercial use, including all exterior and structural requirements, soundness and maintenance.

6.02 STRUCTURAL SOUNDNESS AND MAINTENANCE OF COMMERCIAL STRUCTURES

Every foundation, floor, wall, ceiling and roof of every commercial structure shall be so constructed and maintained and be kept in good repair and in safe condition so as to make all occupied rooms and other interior areas weather-tight, water-tight, rodent proof and so as to be fit for human use and so as to not adversely affect the neighborhood in which they are located. Good repair, maintenance and safe condition shall include but is not limited to the following:

- A. Foundations. Foundations shall support the building at all points and shall be free of all holes and cracks which admit rodents, water or dampness to the interior of the building or lessen the capability of the foundation to support the building.
- B. Exterior Walls and Surfaces. Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition which might admit rodents, rain or dampness to the interior of the dwelling.
- C. Windows. Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, and maintained so as to exclude adverse weather elements from entering the structure.
- D. Exterior Doors. Doors shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, windproof, and water-proof and be provided with door hinges and door latches which are in good working condition.
- E. Roof. Roof members, covering and flashing shall be structurally sound and tight so as to prevent the entrance of moisture and be maintained by renewal, repair, waterproofing or other suitable means. Roof drainage shall be adequate

to prevent rain water from causing dampness in the interior portion of the building.

- F. Gutters. Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties.
- G. Chimneys. Chimneys shall be free of cracks, holes or missing portions and maintained in sound condition.
- H. Porch. Every porch shall be so constructed and maintained so as to be free of missing, defective, rotting or deteriorated foundations, supports, floors, other members, and steps thereto, so as to be safe to use and kept in sound condition and in good repair.
- I. Structural Member. Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be renewed, restored, repaired, or replaced as is necessary to serve the purpose as originally intended.
- J. Exterior Surface. Except for materials that have been designed or manufactured to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose or peeling paint or covering.
- K. Basement. Basement or cellar hatchways shall be so constructed and maintained as to prevent the entrance of rodents, rain and surface drainage into the structure.
- L. Decorative Features. All cornices, entablatures, bell courses, corbels, terracotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

6.03 PAINT AND COATING MATERIALS

All paint and other coating materials shall be free of any lead. These materials shall also be free of dangerous substances banned from general use by authorized federal, state, county, or local regulatory agencies for health and safety reasons.

6.04 EXTERIOR PROPERTY AND STRUCTURE EXTERIORS

All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.

- A. Exterior Space. The exterior open space around each structure shall be maintained or so improved so as to provide for:
 - 1) The immediate diversion of water away from buildings and proper drainage of the lot;
 - 2) Grass, plantings or other suitable ground cover to prevent soil erosion which is or may become detrimental to the structures, lot use or adjacent lots and structures; and
 - 3) Yard-walks, parking areas, driveways and exterior steps which are of a permanently hard, dust free surface of sound construction and properly maintained.
- B. Maintenance. The exterior of all premises and every structure thereon including but not limited to walls, roofs, cornices, chimneys, drains, towers, porches, land-

ings, fire escapes, stairs, store fronts, signs, windows, doors, awnings, marquees, and all surfaces thereof, shall be maintained so as to avoid any blighting effects on neighboring properties and shall be painted or protected where necessary for the purpose of preservation.

All canopies, marquees, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, porches, balconies, and similar overhanging extensions, and their supporting structures where exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration. Prohibited and obsolete signs shall be removed or replaced pursuant to the applicable sections of the _____ Township Zoning Resolution.

- C. Fences and Walls. All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such approved fences, retaining walls, or similar structures shall always be in the state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.
- D. Yards. All yards, courts, and lots shall be kept free of noxious weeds, overgrown grasses, debris and other materials which may cause a fire, health, safety hazard, or general unsightliness.
- E. Hazards. Hazards and unsanitary conditions shall be eliminated.
- F. Occupancy. No temporary buildings, trailers, recreational vehicles, tents, or garages shall be used temporarily or permanently as a residence in the course of construction.
- G. Drainage. All portions of all premises shall be so graded that there is no pooling of water or recurrent entrance of water into any part of any building except where such pooling or retention of water is part of a plan approved by the County Engineer. All condensate and waste cooling water shall be appropriately discharged into an approved drainage system.
- H. Drainage Swales. Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant trees and/or shrubs or discharge, empty, or place any material fill or waste into any swale so as to impede or divert drainage flow. Small swales can be mowed as part of the yard. Larger swales in meadow situations should be mowed less frequently in order to allow grasses to grow taller to retard runoff and prevent erosion. Swales in woodland areas should be left in their natural condition leaving the understory growth to retard runoff and prevent erosion.
- I. Junk, Inoperable or Unlicensed Vehicle. No junk, inoperable, or unlicensed vehicle shall be located on any commercial property, except when stored within a completely enclosed building or in a manner in conformance with the _____ Township Zoning Resolution.
- J. Traffic Markings. All traffic markings such as directional arrows, lane division lines, parking space lines, stop signs, etc., shall be maintained so as to be clearly visible and easily recognized.
- K. Conduct of Business.
 - 1. All business activity, except for off-street loading, shall be conducted within completely enclosed buildings.
 - 2. All storage of trash and garbage containers and/or dumpsters shall be ef-

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- fectively screened from view in a manner approved by the Enforcement Officer.
3. All storage of materials, goods or products, including inoperable vehicles, shall be within a completely enclosed building. EXCEPTION: Those businesses which are permitted or conditionally permitted under the terms of the _____ Township Zoning Resolution to conduct business or maintain outdoor storage of materials, goods or products out-of-doors are excepted from compliance with this and subparagraph 1.
- L. Exterior Light Fixtures. Exterior lighting fixtures over steps, paths, walkways, courts, drives and parking lots shall be neatly maintained in operable condition and lighted for sufficient periods of time before and after business hours to provide for pedestrian and employee safety and properly aimed so as not to shine on adjacent properties (per local zoning regulation).

6.05 VEGETATION

- A. Vegetation Cutting Required. All grass, weeds or rank vegetation shall be periodically cut and in no case shall exceed a height of eight (8) inches.
- B. Maintenance of Plantings. All plant materials, especially trees and shrubs, afflicted with decay, disease, insect infestation, or otherwise considered dangerous to other plant material shall be removed or appropriately treated. All sound plant materials, especially trees and shrubs, shall be properly maintained and not evidence signs of neglect.

6.06 STAIRWAYS

- A. Exterior Stairways. All exterior stairways on all commercial premises shall be in accordance with the following procedures:
- 1) stairways shall be maintained free of holes, grooves, and cracks which constitute a safety hazard;
 - 2) stairways shall be maintained free of rotted or deteriorated supports;
 - 3) stairways shall have treads of uniform width and risers of uniform height; and
 - 4) stairway handrails and/or railings shall be firmly fastened and maintained in good condition. Where the absence of handrails and/or railings create a hazardous condition, the Enforcement Officer may require their installation in accordance with the provisions of the _____ County Building Code.

6.07 ACCESSORY STRUCTURES

- A. Accessory Structures. All structures accessory to commercial use, including signs and detached storage buildings, shall be maintained structurally sound, neatly maintained, and in good repair or shall be razed to grade level and debris removed from the premises.

ARTICLE VII

INDUSTRIAL EXTERIOR PROPERTY MAINTENANCE STANDARDS

7.01 GENERAL PROVISIONS

Every industrial structure and industrial use shall meet all provisions and requirements of the official zoning code, building code, fire code and health ordinance applicable to the structure and its intended and present use. Where these codes require the provision of a particular facility or equipment, or where they set a structural or installation standard, such related parts of every industrial structure and industrial use shall be maintained to the minimum standard provided for in the applicable section of this Code or to the minimum standard provided for in the above codes, whichever standard is higher.

The following industrial exterior property maintenance standards are applicable to all industrial structures, industrial uses, and portions of mixed use structures which are devoted to industrial use, including all exterior and structural requirements, soundness and maintenance.

7.02 STRUCTURAL SOUNDNESS AND MAINTENANCE OF INDUSTRIAL STRUCTURES

Every foundation, floor, wall, ceiling and roof of every industrial structure shall be so constructed and maintained and be kept in good repair and in safe condition so as to make all interior areas weather-tight, water-tight, rodent proof and so as to be fit for human use and so as to not adversely affect the neighborhood in which they are located. Good repair, maintenance and safe condition shall include but is not limited to the following:

- A. Foundations. Foundations shall support the building at all points and shall be free of all holes and cracks which admit rodents, water or dampness to the interior of the building or lessen the capability of the foundation to support the building.
- B. Exterior Walls and Surfaces. Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition which might admit rodents, rain or dampness to the interior of the building.
- C. Windows. Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, and maintained so as to exclude adverse weather elements from entering the structure.
- D. Exterior Doors. Doors shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, windproof, and water-proof and be provided with door hinges and door latches which are in good working condition.
- E. Roof. Roof members, covering and flashing shall be structurally sound and tight so as to prevent the entrance of moisture and be maintained by renewal, repair, waterproofing or other suitable means. Roof drainage shall be adequate

to prevent rain water from causing dampness in the interior portion of the building.

- F. Gutters. Rain gutters, downspouts, leaders or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties.
- G. Chimneys. Chimneys shall be free of cracks, holes or missing portions and maintained in sound condition.
- H. Structural Member. Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be renewed, restored, repaired, or replaced as is necessary to serve the purpose as originally intended.
- I. Exterior Surface. Except for materials that have been designed or manufactured to remain untreated, all exterior wood, composition or metal surfaces shall be protected from the elements by paint or other protective covering. Surfaces shall be maintained so as to be kept clean and free of flaking, loose or peeling paint or covering.
- J. Decorative Features. All cornices, entablatures, bell courses, corbels, terracotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

7.03 PAINT AND COATING MATERIALS

All paint and other coating materials shall be free of any lead. These materials shall also be free of dangerous substances banned from general use by authorized federal, state, county, or local regulatory agencies for health and safety reasons.

7.04 EXTERIOR PROPERTY AND STRUCTURE EXTERIORS

All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.

- A. Exterior Space. The exterior open space around each structure shall be maintained or so improved so as to provide for:
 - 1) The immediate diversion of water away from buildings and proper drainage of the lot;
 - 2) Grass, plantings or other suitable ground cover to prevent soil erosion which is or may become detrimental to the structures, lot use or adjacent lots and structures; and
 - 3) Yard-walks, parking areas, driveways and exterior steps which are of a permanently hard, dust free surface of sound construction and properly maintained.
- B. Maintenance. The exterior of all premises and every structure thereon including but not limited to walls, roofs, cornices, chimneys, drains, towers, fire escapes, stairs, fountains, signs, windows, doors, awnings, marquees, and all surfaces thereof, shall be maintained so as to avoid any blighting effects on neighboring properties and shall be painted or protected where necessary for the purpose of preservation. All canopies, marquees, signs, awnings, exterior stairways, fire escapes, stand-

pipes, exhaust ducts, and similar overhanging extensions, including their supporting structures where exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration. Prohibited and obsolete signs shall be removed or replaced pursuant to the applicable sections of the _____ Township Zoning Resolution.

- C. Fences and Walls. All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such approved fences, retaining walls, or similar structures shall always be in the state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.
- D. Yards. All yards, courts, and lots shall be kept free of noxious weeds, overgrown grasses, debris and other materials which may cause a fire, health, safety hazard, or general unsightliness.
- E. Hazards. Hazards and unsanitary conditions shall be eliminated.
- F. Occupancy. No temporary buildings, trailers, recreational vehicles, tents, or garages shall be used temporarily or permanently as a residence in the course of construction.
- G. Drainage. All portions of all premises shall be so graded that there is no pooling of water or recurrent entrance of water into any part of any building except when such pooling or retention of water is part of a plan approved by the County Engineer. All condensate and waste cooling water shall be appropriately discharged into an approved drainage system.
- H. Drainage Swales. Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant trees and/or shrubs or discharge, empty, or place any material fill or waste into any swale so as to impede or divert drainage flow. Small swales can be mowed as part of the yard. Larger swales in meadow situations should be mowed less frequently in order to allow grasses to grow taller to retard runoff and prevent erosion. Swales in woodland areas should be left in their natural condition leaving the understory growth to retard runoff and prevent erosion.
- I. Junk, inoperable or Unlicensed Vehicle. No junk, inoperable, or unlicensed vehicle shall be located on any industrial property, except when stored within a completely enclosed building or in a manner in conformance with the _____ Township Zoning Resolution.
- J. Traffic Markings. All traffic markings such as directional arrows, lane division lines, parking space lines, stop signs, etc., shall be maintained so as to be clearly visible and easily recognized.
- K. Conduct of Business.
 - 1. All business activity, except for off-street loading, shall be conducted within completely enclosed buildings.
 - 2. All storage of trash and garbage containers and/or dumpsters shall be effectively screened from view in a manner approved by the Enforcement Officer.
 - 3. All storage of materials, goods or products, including inoperable vehicles, shall be within a completely enclosed building. EXCEPTION: Those busi-

nesses which are permitted or conditionally permitted under the terms of the _____ Township Zoning Resolution to conduct business or maintain outdoor storage of materials, goods or products out-of-doors are excepted from compliance with this and subparagraph 1.

- L. Exterior Light Fixtures. Exterior lighting fixtures over steps, paths, walkways, courts, drives and parking lots shall be neatly maintained in operable condition and lighted for sufficient periods of time before and after working hours to provide for pedestrian and employee safety and properly aimed so as not to shine on adjacent properties (per local zoning regulation).

7.05 VEGETATION

- A. Vegetation Cutting Required. All grass, weeds or rank vegetation shall be periodically cut and in no case shall exceed a height of eight (8) inches.
- B. Maintenance of Plantings. All plant materials, especially trees and shrubs, afflicted with decay, disease, insect infestation, or otherwise considered dangerous to other plant material shall be removed or appropriately treated. All sound plant materials, especially trees and shrubs, shall be properly maintained and not evidence signs of neglect.

7.06 STAIRWAYS

- A. Exterior Stairways. All exterior stairways on all industrial premises shall be in accordance with the following provisions:
 - 1) stairways shall be maintained free of holes, grooves, and cracks which constitute a safety hazard;
 - 2) stairways shall be maintained free of rotted or deteriorated supports;
 - 3) stairways shall have treads of uniform width and risers of uniform height; and
 - 4) stairway handrails and/or railings shall be firmly fastened and maintained in good condition. Where the absence of handrails and/or railings create a hazardous condition, the Enforcement Officer may require their installation in accordance with the provisions of the Building Code.

7.07 ACCESSORY STRUCTURES

- A. Accessory Structures. All structures accessory to the industrial use, including signs, shall be maintained structurally sound and in good repair or shall be razed to grade level and debris removed from the premises.

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PROPERTY MAINTENANCE CODE- CITY OF MILFORD

On September 2, 1997, the Milford City Council passed an ordinance creating the Property Maintenance Code. The overall purpose was to add an important tool to our beautification and revitalization initiative. It has been demonstrated that the overwhelming majority of our citizens approve of this program. This approval is not surprising since nothing is more harmful to the beauty of a neighborhood than a house in a state of disrepair, or a yard littered with unsightly junk. In addition to the visual pain, such a property also devalues the properties around it; this devaluation and depreciation of neighboring properties is simply unfair.

The code outlines a variety of maintenance standards. All exterior components shall be kept in good repair. All surfaces shall be covered with a protective coating, which preserved the structure and does not contribute to deterioration. Exterior shall be free of deterioration such as broken glass, loose or missing shingles, crumbling brick and peeling or deteriorated paint.

In residential zones, all outdoor storage for a continuous period exceeding 15-days shall be within enclosed buildings or shall be effectively screened from view. This clause would cover items such as inoperable vehicles or miscellaneous junk. Functional items such as children's play structures, operable vehicles and bicycles are exempt from this provision.

In business zones, non-operative signs should be repaired or removed. Obsolete signs shall be removed. Except for display merchandise, no merchandise or inventory shall be stored in public view.

All premises and landscape elements shall be maintained in a safe and sanitary condition including but not limited to steps, walks, driveways, fences, trees, shrubs, grass, and weeds. If any such area or object constitutes a danger to health and safety, it shall be repaired or removed. Weeds and grass shall be kept trimmed and from becoming overgrown. All yards, courts or lots shall be kept free of accumulations of trash, garbage, waste, rubbish, refuse, or junk.

Code violations are heard and reviewed by the Citizens Housing Committee, which is composed of five citizens. If they determine a property is in violation of the code, they work with the property owner to have the situation remodeled. If a property owner does not comply with the Ordinance, they submit written recommendations to the Building Officials. These officials along with the police department and Mayor's Court are responsible for enforcement.

Ninety-eight percent of Milford's businesses and citizens are in voluntary and harmonious accord with the provisions of this code. They want a beautiful and well-maintained city because they know that is what it takes to maintain and increase property values. They also appreciate a clean, beautiful and welcoming environment.

Lou Bishop, City of Milford City Council

CITY OF MILFORD - BUILDING CODE

CHAPTER 1312 Property Maintenance

1312.01 Maintenance.

1312.03 Rules and Regulations.

1312.02 Citizens Housing Committee.

1312.99 Penalty.

1312.01 MAINTENANCE.

(a) Maintenance Required. All buildings and structures, all parts thereof and all building service equipment shall be maintained in a safe, sanitary and non-hazardous manner. All means of egress, devices, safeguards and equipment shall be kept in good working order. The exterior of all premises and the condition of all buildings, structures and components thereon shall be maintained so as to prevent and/or repair deterioration, so that the appearance thereof shall reflect a level of maintenance in conformity with the Milford Codified Ordinances and so as to insure that the property itself may be preserved safely and that hazards to public health and safety are avoided.

(b) Review and Recommendations by Committee. To assist in the enforcement of the provisions of this section, the Building Official or his representative shall refer all suspected violations and complaints to the Citizens Housing Committee for their review and recommendation. No violation notice shall be issued by the Building Official or his representative unless a written recommendation from the Citizens Housing Committee is received, indicating that corrective measures are required to avoid hazards to public health and safety and/or protect adjoining or neighboring properties from safety, fire and structural hazards.

(c) Maintenance Standards.

(1) Maintenance of structures. Each owner and/or occupant shall keep all exterior components of every structure in good repair, including but not limited to, walls, roofs, chimneys, cornices, gutters, downspouts, drains, porches, steps, landings, fire escapes, exterior stairs, windows, shutters, doors, storefronts, signs, marquees and awnings.

A. All surfaces shall be covered with a protective coating, including paint, shingles, plastic/aluminum/asbestos or vinyl siding or other material which preserves the structure and does not contribute to deterioration.

B. All surfaces shall be maintained free of deterioration, including but not limited to, broken glass, loose or missing shingles or siding, crumbling brick, stone and mortar, and peeling, scaling or deteriorated paint.

C. Overhanging structures, including canopies, marquees, signs, awnings, exterior stairways, fire escapes, and other structures with overhanging extensions shall be maintained in good repair, be securely anchored to the structure, and protected from rust and other signs of decay by application of a weather protective material such as paint. Non-operative or broken electrical signs shall be repaired or removed. All obsolete signs and sign structures shall be removed.

D. Except for display merchandise in nonresidential buildings, no storage of materials, goods, stock or inventory shall be permitted in building openings

ordinarily exposed to public view unless such areas are screened from public view. All such screening shall be of clean material and will be maintained in a good state of repair.

- (2) Maintenance of accessory structures. Each accessory structure shall be subject to the maintenance standards set forth in Section 1312.01. Further, each structure shall:
- A. Provide weatherproof usable space and shall not harbor rodents, termites, or other vermin.
 - B. All business, servicing or processing, except for off-street loading, shall be conducted within completely enclosed buildings.
 - C. In nonresidential districts, storage shall be within enclosed buildings or effectively screened from view by plantings as required by the Zoning Code.
 - D. In residential zones all outdoor storage for a continuous period exceeding fifteen days shall be within enclosed buildings or it shall be effectively screened from view as required by the Zoning Code. However, the storage of functional items such as children's play structures, firewood and operable vehicles and bicycles shall be exempt from this provision.
 - E. Inoperable vehicles must be stored within an enclosed building or effectively screened from view as required by the Zoning Code.

(3) Maintenance of premises and landscape elements.

- A. All premises and landscape elements shall be maintained in a safe and sanitary condition, including but not limited to steps, walks, driveways, fences, retaining walls, trees, shrubs, grass and weeds. If any such area or object constitutes a danger to health or safety, it shall be repaired, replaced or removed.
- B. All paved driveways and walks which exist within the public right of way shall be maintained in a safe condition.
- C. All fences, retaining walls, or similar structures shall be firmly anchored in the ground and maintained in good structural repair. Wooden elements or other elements subject to deterioration from weathering shall be maintained with chemicals or paint to preserve the element and to retard deterioration.
- D. Weeds and grass shall be kept trimmed and from becoming overgrown in accord with the provisions of Section 915.02.
- E. Trees and shrubs which have branches projecting into the public right of way, including public sidewalks, public places or public highway, shall be kept trimmed in accordance with the provisions of Section 915.01.
- F. Trees and shrubs afflicted with a form of decay or vegetation sickness which can be transmitted to other trees or shrubs shall be removed or shall be treated or sprayed so as to eliminate the risk of such decay or vegetation sickness being transmitted to other trees. Dead trees in proximity to rights of way, buildings, structures or congregations of people which may endanger such objects shall be removed.
- G. All yards, courts, or lots shall be kept free of accumulations of trash, garbage, waste, rubbish, refuse, junk and other noxious or offensive materials or substances which may cause a fire hazard or may act as a breeding place for vermin or insects. Storage of miscellaneous items must be within enclosed structures or screened as required in the Zoning Code.
- H. All portions of all premises shall be graded so that there is not pooling of water or recurrent entrance of water into any basement or cellar. All condensate and

waste cooling water shall be discharged into the storm sewer system with approval of the City Engineer.

- (d) Maintenance After Casualty Damage. Within a period of thirty days after casualty damage to any premises the owner and/or operator shall have taken the following steps:
- (1) Contracted for the repair and restoration of damaged areas and removal of debris; and/or
 - (2) Contracted for the demolition and removal of any part of the premises not to be repaired and restored and for the removal of debris in connection therewith. (Ord. 97-1813. Passed 9-2-97.)

1312.02 CITIZENS HOUSING COMMITTEE.

(a) Establishment of Citizens Housing Committee; Membership; Appointment; Terms; Vacancies; Oaths; Compensation; Removal; Officers.

- (1) The Citizens Housing Committee is hereby established pursuant to the authority set forth in Section 3.14 of the Charter.
- (2) The Citizens Housing Committee shall consist of five residents of the City, none of whom may hold other public office in the City and each of whom shall have resided in the City for a period of two years.
- (3) The City Manager shall be the appointing authority of the Citizens Housing Committee, subject to the approval of the City Council.
- (4) The term of office for each member of the Citizens Housing Committee shall be for three years; however, the terms of office of the members first appointed shall be staggered so that two members shall serve for one year, two members shall serve for two years, and one member shall serve for three years.
- (5) Vacancies on the Citizens Housing Committee shall be filled within sixty calendar days. When an occupancy occurs, other than through expiration of the term of office, it shall be filled for the remainder of that term.
- (6) All members of the Citizens Housing Committee shall, before entering upon their duties, qualify by taking the City's oath of office.
- (7) Reimbursement for expenses or compensation or both may be authorized for members on the Citizens Housing Committee.
- (8) Any member of the Citizens Housing Committee may be removed by the City Council, for inefficiency, neglect of duty, malfeasance or conflict of interest.
- (9) The Citizens Housing Committee shall elect annually a chairman, vicechairman, and secretary, and any officer shall be eligible for reelection at the expiration of his term.

(b) Meetings of Citizens Housing Committee; Quorum; Minutes; By-Laws; Finances; Subpoena Power; Administration of Oaths.

- (1) The Citizens Housing Committee shall conduct meetings at the call of the chairman, who shall give written or oral notice to all members of the Citizens Housing Committee at least seven days prior to the meeting; which notice shall contain the date, time and place for the meeting, and the subject or subjects which will be discussed.
- (2) A simple majority of the total membership of the Citizens Housing Committee, as established by regulation or agreement, shall constitute a quorum. Any member of the Citizens Housing Committee who has any direct or indirect financial interest in the outcome of any question before the body shall discuss the nature of the interest and shall disqualify himself from voting on the question.

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- (3) The action of the Citizens Housing Committee shall be by motion or resolution. No motion or resolution shall be passed without the concurrence of at least three members of the Citizens Housing Committee.
 - (4) The Citizens Housing Committee shall adopt bylaws for the transaction of business and shall keep minutes and records of all proceedings including motions, resolutions, regulations, transactions, findings, and determinations and the number of votes for and against each question, and if any member is absent or abstains from voting indicating the fact, all of which shall immediately after adoption, be filed in the office of the Citizens Housing Committee. A transcript of the minutes of the Citizens Housing Committee shall be provided if requested by a party, at the expense of the requesting party, and the transcript shall constitute the record.
 - (5) The Citizens Housing Committee shall have the power to issue subpoenas to compel witnesses to attend its meetings and give evidence bearing upon the questions before it.
 - (6) The Chairman of the Citizens Housing Committee shall have the power to administer an oath to witnesses prior to their testimony before the Committee on any issue.

(c) Duties, Jurisdiction and Responsibilities. The Citizens Housing Committee shall review all suspected violations of the provisions of Section 1312.01 of this Building Code and submit written recommendations thereon to the Building Officials.
(Ord. 97-1813. Passed 9-2-97.)

1312.03 RULES AND REGULATIONS.

The Citizens Housing Committee may adopt any Rules and Regulations which are necessary and proper for carrying into execution all the powers vested in it by this Chapter. The Rules and Regulations shall first be submitted to City Council for its approval.
(Ord. 98-1915. Passed 11-3-98.)

1312.99 PENALTY.

Whoever violates any of the provisions of this chapter or fails to comply with any of its requirements or any of the Rules and Regulations adopted by the Housing Committee pursuant to this chapter shall be fined not more than one hundred dollars (\$100.00). Each day during which noncompliance or a violation continues shall constitute a separate offense. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violations. (Ord. 98-1915. Passed 11-3-98.)

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SELECTED READINGS

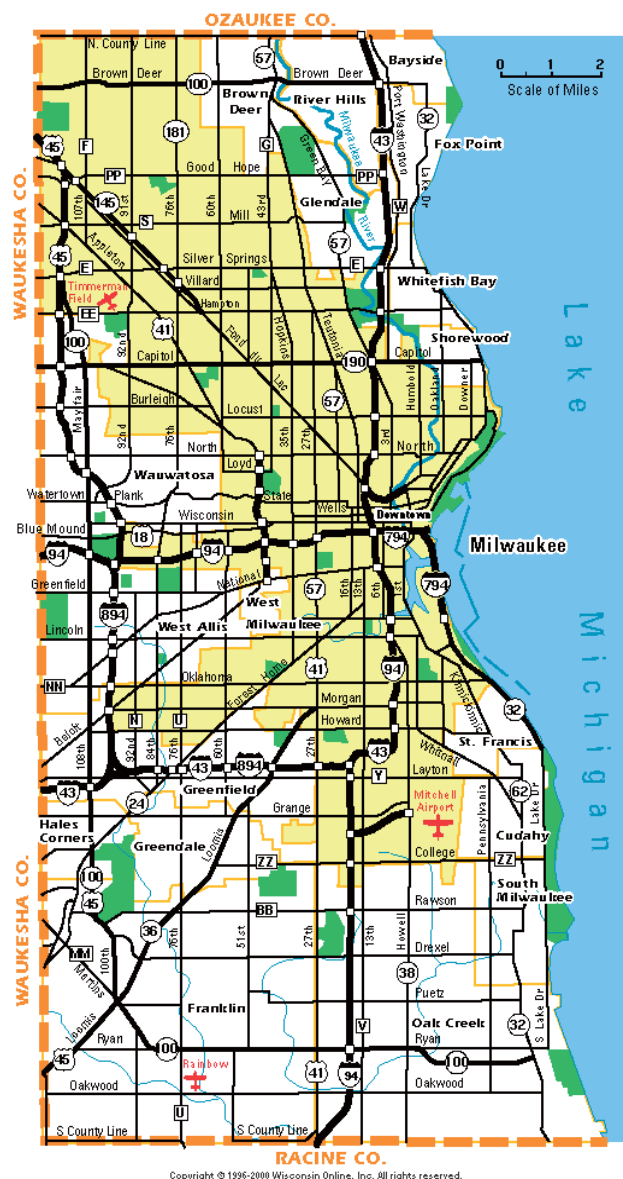
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VILLAGE OF SHOREWOOD'S CERTIFICATE OF COMPLIANCE PROGRAM

Shorewood is a first ring suburb of the City of Milwaukee with a current population of around 14,000. Incorporated in 1900 as East Milwaukee and in 1917 as the Village of Shorewood, it is totally developed. There are about 6,480 dwelling units in the community with 51% in buildings of 2 units or more (potentially rentable). By land area, population density is the highest in the State of Wisconsin. As a “bedroom community”, about 85% of our tax base is in residential property with an average age of about 70 years. Maintaining the quality (and value) of this large segment of the base is crucial to the economic viability of the community. This effort is no small task given the impact of a major urban university (University of Wisconsin, Milwaukee) at our south border, the tendency for populations to out-migrate to exurban areas and Shorewood’s geographical location between the Milwaukee River and Lake Michigan with an ever increasing number of commuters using the Village to access the central city.

Prior to the establishment of the Certificate of Compliance program, there existed three areas of inspection concentration. These three areas being: 1. inspection of new construction or remodeling in which permits were applied for, 2. inspections which dealt with the upkeep and maintenance of buildings, and 3. inspections which involved those instances where there was “reasonable cause” with regard to hazardous conditions or where buildings were declared to be “unfit for human habitation”. The Certificate of Compliance program was established to identify the problems existing in the current method and resolve those problems: These problems included:

- Only the exterior of buildings and structures were being looked at.
- Random inspections made only when the inspector’s schedule would permit housing code enforcement.
- Even when inspections



Milwaukee County Map. (Source: <http://www.wisconsin.com/counties/milwaukee/map.html>)

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- were made on the interior, they were not complete from basement to attic.
- Random inspections, although citing necessary repairs, sometimes identified and/or compounded financial hardships.
 - Motivation for compliance was limited to fines which could be imposed only after substantial delays and time consuming court procedures.
 - Resolution of code violations in some cases caused landlord/tenant problems.
 - Inspection levels from property to property lacked uniformity due to voluntary access to all areas and concern for invasion of privacy.

Under the Certificate of Compliance program, all residential buildings or structures and all outside areas associated with residential property to be sold are inspected to determine if they comply with an extensive list of codes. The procedure followed by a property owner for acquiring a Certificate of Compliance is as follows:

1. The property owner or his agent fills out the application.
2. An inspection appointment is made with the applicant.
3. An inspection sheet is filled out for the property and the inspection is made.
4. If no violations are noted, the inspector indicates this on the inspection sheet and a Certificate of Compliance is filled out and issued.
5. If violations exist, they are listed on a Statement of Non-Compliance and sent to the applicant. A period of time is also given to correct the items listed.
6. When all items are corrected, a re-inspection is made by appointment after which a Certificate of Compliance is issued.

Source:

*Interview to James J. Lynch, Director. Department of Community Development.
Catalina Landivar, 7/8/2003*

**OFFICE USE ONLY**

Day: _____

Date: _____

Time: _____ AM PM

Number: _____

APPLICATION FOR CERTIFICATE OF COMPLIANCE

Property Address: _____ Date: _____

Type of Building: (Single-family, Duplex, Multi-family, Condo) _____

SELLER:Present or Former
Owner: _____

Present Address: _____

No. and Street City State Zip

Phone: _____

BUYER:
(if known)

New or Proposed Owner: _____

Present Address: _____

No. and Street City State Zip

Phone: _____

A Certificate of Compliance will not be issued unless all required repairs or alterations are performed.

Repairs / alterations will be made by:

☐ OWNER
☐ PROPOSED OWNER
☐ OTHER_____
*Applicant's Signature*_____
*Applicant's Address***NOTE:** A copy of the Certificate of Compliance or Statement of Non-Compliance will be given to all persons named above.

The undersigned applicant acknowledges that the inspector must be provided with entry into all areas of the dwelling structure (both units of a duplex,) all other dwelling structures and all areas of the subject property. If on the inspection date the applicant cannot provide complete access, a \$25.00 reinspection fee will be levied, and another date established.

Signature: _____

Fee Schedule:

_____	\$50.00	Condominium
_____	\$75.00	Single Family
_____	\$100.00	Duplex
_____	\$125.00	Multi-Family
_____	\$35.00	Each Inspection (after 1 st reinspection)

The Village of Shorewood 3930 N. Murray Avenue, Shorewood, WI 53211 (414) 847-2640

W.METER

OUT

DATE/TIME

[illegible]



APPLICATION NO. _____

DATE _____

ISSUED TO _____

ADDRESS _____

An inspection of the premises located at _____

_____ discloses non-compliance with codes or ordinances of the Village of Shorewood as hereafter listed.

The premises at the above address shall be brought into compliance within _____ days. If a change of ownership or occupancy takes place prior to the correcting of all code violations as listed above, the former owner (seller) and the new owner (buyer) shall be jointly and severally liable and responsible for making said corrections. Please notify this office when ALL corrections have been made and a reinspection of the premises for compliance can be made.



CERTIFICATE OF COMPLIANCE

NO. _____

DATE _____

THIS CERTIFICATE OF COMPLIANCE is issued to _____,
owner of the property located at _____,
Shorewood, Wisconsin, and permits a change in ownership from said owner to the buyer
of said property anytime within one year from the date hereof. Any subsequent change of
ownership, regardless of time period, shall require a new certificate of compliance.

This certificate indicates that so far as can reasonably be determined by a visual inspection
of the property and a review of the Village records, the property meets the requirements
of Section 9-203C and all other applicable codes of the Village of Shorewood.

This certificate is issued for the benefit of the Village of Shorewood in the enforcement of
Section 9-203C of the Shorewood Building Code. Neither the Village of Shorewood, the
Village's Department of Community Development, nor any of the inspectors of said
department assume any liability in or as a result of the inspection of said property or the
issuance of this Certificate of Compliance and by the issuance of this Certificate of
Compliance do not guarantee or warrant as to the condition of the property inspected.

VILLAGE OF SHOREWOOD

By: _____
Director, Dept. of Community Development

PROPERTY MAINTENANCE: A STRATEGY TO PROMOTE REVITALIZATION IN HAMILTON COUNTY

Major threats for jurisdictions in Hamilton County are population loss and declining property values. The “Community Values Survey” conducted by the Hamilton County Regional Planning Commission (HCRPC) in October 2000 showed that the top two reasons why residents are moving out of the county is to find new housing opportunities and to live in safer communities.

Elected officials, municipal and township administrators, and investors are finding a golden opportunity in the renewed interest in “urban living.” While many of the new subdivisions and business districts in the outskirts are trying to recreate a neo-traditional feel, most of the jurisdictions and neighborhoods in Hamilton County have developed in the “traditional” way over the course of decades. What mature communities in the county do not have in terms of new housing stock, they have abundantly in community character, history, infrastructure, cultural amenities, proximity to work place and affordable housing.

Elected officials and administrators are looking into strategies to make investment in housing in Hamilton County jurisdictions an attractive proposition. One strategy, that some are taking a closer look at, is to prevent blight through the enforcement of property maintenance codes. The Ohio Revised Code (ORC) provides general guidelines for nuisance abatement that all subdivisions in the state can enforce. Those nuisances include tall grass, junk vehicles, trash and other problems that are generally “unsightly” nuisances outside of the building or property.

Safety or health related problems inside of a building, according to the ORC, can be dealt with through the Health Department. It is up to the individual jurisdictions to pass more stringent regulations to enforce property maintenance. Some jurisdictions address nuisances through zoning or building inspections. Bottom line, home rule applies, and local jurisdictions decide how far to go. According to a preliminary scan conducted by the Planning Partnership-HCRPC in May 2003, 78% (or 29) of all cities and villages, and 92% (or 11) of all townships in Hamilton County enforce nuisance regulations to various degrees. Furthermore, 76% of all jurisdictions have a dedicated enforcement officer, in most cases on a part time basis. Due to limited resources, most of the jurisdictions operate on complaints, only a few conduct regular sweeps to identify property maintenance violations.

Interviews conducted as part of the “Property Maintenance Practices in Hamilton County” scan revealed that code enforcement is a long and expensive process, and that it has a political side that all the involved parties need to be aware of to properly address in any implementation plan. Alan Mallach (2001) in his paper “From Abandonment to Reuse” states that “buildings are most often abandoned because the owner finds it no longer economically productive to continue to maintain and operate the building, although other factors, such as the nature of the resale market in the area, also carry significant weight.

Once a building has deteriorated beyond a certain level, it is often not economically feasible to restore it to productive use without substantial public subsidy. Since the cost of rehabilitation can be expected to increase the longer the building remains abandoned – a period often dictated by the legal obstacles to obtaining possession and making possible

reuse of the property – there is a close relationship between the legal and economic issues affecting abandoned properties.” Furthermore, “they act as a significant fiscal drain on already strapped municipalities, requiring disproportionate municipal resources, while providing little or no tax revenue to municipal coffers.”

The effects of neglect and decay of a building [and of entire neighborhoods] does not stop at the jurisdiction boundaries. Property maintenance requires a systematic approach at the local level and permanent collaboration among neighboring communities.

Source:

Landivar, Catalina. 2003. Property Maintenance: A Strategy to Promote Revitalization in Hamilton County. An article published on UPDATE, September 2003 issue, pg.3. UPDATE is a quarterly publication of the Planning Partnership of the Hamilton County Regional Planning Commission. Available online at http://www.planningpartnership.org/update/9_2003.pdf

PROPERTY MAINTENANCE IN HAMILTON COUNTY COMMUNITIES: PRELIMINARY SCAN

In May 2003, The Hamilton County Regional Planning Commission conducted a preliminary scan of existing condition in the county related to property maintenance issues such as codes of ordinances in places, tracking ----, staffing, etc. Out of the 49 jurisdiction that the scan was delivered to, 38 jurisdictions or 78% responded.

The percentage of jurisdictions with existing property maintenance codes and nuisance ordinances is very similar between cities and villages, a large portion of cities and villages have both a maintenance code and a nuisance ordinance.

All the townships that responded have a nuisance ordinance but very few of the townships have an existing property maintenance code. Cities and villages use the Zoning Ordinance, Building and Housing Codes, General Regulations, or BOCA as their maintenance code and nuisance ordinance. Almost all townships use ORC for their nuisance ordinance.

CITIES

- There are 20 cities total in Hamilton County
- Sixteen out of the 20 cities, 80%, has completed the survey, they are: Blue Ash, Cincinnati, Deer Park, Forest Park, Harrison, Madeira, Milford, Montgomery, Mount Healthy, North College Hill, Norwood, Sharonville, Silverton, Springdale, and Wyoming
- All of the jurisdiction that replied have an existing property maintenance code, except Indian Hill and Harrison
- All of the jurisdiction that replied have a nuisance ordinance, except Milford and Wyoming
- Indian Hill is the only jurisdiction without some type of property maintenance officer. Deer Park, Cincinnati, Montgomery, Norwood, Sharonville, Springdale, and Wyoming report having a full-time officer while Blue Ash has a contract full-time officer. Harrison, Madeira, and Milford have a part-time officer while Mount Healthy has a contract with Ted Mack, hourly. North College Hill and Silverton have contracted property maintenance officers and Forest Park has a full-time and a part-time property maintenance officer.
- Milford is the only jurisdiction with a property maintenance code that only provides regulations for the outside of the building. Blue Ash, Cincinnati, Deer Park, Forest Park, Harrison, Madeira, Montgomery, Mount Healthy, North College Hill, Norwood, Sharonville, Silverton, Springdale, and Wyoming all have regulations for the inside and the outside of buildings in their property maintenance code.
- Blue Ash, Deer Park, Harrison, Madeira, Milford, and Wyoming have a file system to track complaints. Cincinnati, Forest Park, Indian Hill, Mount Healthy, Norwood, Sharonville, Silverton, and Springdale keep a computer database for complaints made. Montgomery depends of the officer to maintain records.
- The vacancy rate total for all 20 cities is 8.9% and the average is 5.5%. The vacancy rate total for all 20 cities except Cincinnati is only 4.9% so a large portion of vacant housing is in Cincinnati. The vacancy rate total of 8.2% is for all 20 cities with Cincinnati only including the neighborhoods with a population over 5,000. The average vacancy rate for neighborhoods in Cincinnati with a population over 5,000 is 10.59%.

	Existing Property Maintenance Code	Copy of P.M.C. at PP	Existing Nuisance Ordinance	Copy of N.O. at PP	Property Maintenance Officer	Tracking Summary	Focus (exterior or interior or both)
Blue Ash	Yes	Ordinance of Blue Ash: Ch. 1705 & 1711	Yes	Yes	Full-Time, Contract	Paper Files	Both
Cheviot	Yes	Local Property Maintenance Code			Yes		
Cincinnati	Yes	Housing Code- Exterior and Interior Ch. 1117	Yes	1101 CMC	Full-Time	Computer database	Both
Deer Park	Yes	Ordinance 1307 1308	Yes	Ordinance 521	Safety-Service Director or designee, full-time with only part of duties being enforcement	Paper Files	Both
Forest Park	Yes	Ordinance 155 & 96	Yes	Ordinance 155	1 Full-Time, 1 Part-Time	In house Data Base	Both
Harrison	No	No	Yes	Ordinance 2-2003 & Bdg. Code 1323	Part-Time	File System of Letters Sent	Both
Indian Hill	No	No	Yes	General Regulations 94	Full-time with only part of duties	Address & Complaint Database	Exterior
Loveland	Yes	BOCA National Property Maintenance Code	Yes	BOCA	Yes, full-time with only part of duties	By date of offense	Both
Madeira	Yes	Property Maintenance Code Ordinance 158	Yes	Junk, Rubbish, Littering & Weeds Ordinance 92	Part-Time	Small number of violations, open file	Both
Milford	Yes	Property Maintenance Ordinance 1312	No	No	Part-Time	Complaint sent to necessary offices, reported to monthly citizen housing committee	Exterior
Montgomery	Yes	Montgomery Code of Ordinances Ch 93	Yes	Montgomery Code of Ordinances Ch 93	Full-Time	Building Code violations- N.I.C., Prop. Main. by officer	Exterior
Mount Healthy	Yes	Zoning Ordinance Section 152	Yes	Ordinance Ch.95	Contract with Ted Mack, Hourly	Logged by nature and action taken	Exterior
Norwood	Yes	BOCA National Property Maintenance Code	Yes	Yes	Full-Time	Database, individual property address files	Both
North College Hill	Yes	BOCA some modifications	Yes	BOCA some modifications	Contract, Full-time		Both
Reading	Yes	Local Property Maintenance Code	Yes	Included ordinance	Yes, part-time	Data base	Exterior
Sharonville	Yes	International Code	Yes	International Code	Full-Time	Data ease tracking Software	Both
Silverton	Yes	International Property Maintenance Code	Yes	Silverton City Code Ch 91	Contract, Full-Time	Spreadsheet	Both

- The owner occupied total for all 20 cities is 106,922 units and the owner occupied total for all 20 cities except Cincinnati is only 49,277 units. The owner occupied total of 96,578 units is for all 20 cities with Cincinnati only including the neighborhoods with a population over 5,000. The rental occupied total for all 20 cities is 114,647 units and the rental occupied total for all 20 cities except Cincinnati is only 24,267. The rental occupied total of 99,898 units is for all 20 cities with Cincinnati only including the neighborhoods with a population over 5,000.

VILLAGES

- There are 17 villages total in Hamilton County
- Twelve out of 17 villages, 70.6%, completed the survey, they are: Amberly, Elmwood Place, Evendale, Fairfax, Glendale, Golf Manor, Green Hills, Lockland, Mariemont, Newtown, North Bend, and Woodlawn.
- All of the jurisdictions that replied have an existing property maintenance code.
- All of the jurisdictions that replied have a nuisance ordinance, except Fairfax and Newtown.
- North Bend is the only jurisdiction without some type of enforcement officer. Amberly, Elmwood, Golf Manor, and Green Hills report having a full-time officer. Evendale, Fairfax, Newtown, and Woodlawn have a part-time officer. Glendale, Lockland, and

	Existing Property Maintenance Code	Copy of P.M.C. in Office	Existing Nuisance Ordinance	Copy of N.O. in office	Property Maintenance Officer	Tracking Summary	Focus (exterior or interior or both)
Addyston	Yes	BOCA national property maintenance code	Yes		Contract, Part-time (Butch Kramer)		
Amberley	Yes	Ordinance Ch. 150	Yes	Ordinance Ch.95	Full-Time	File	Both
Arlington Heights							
Cleves							
Elmwood Place	Yes	Ordinance Ch. 150	Yes	Ordinance Ch.94	Full-Time	Paper trail	Both
Evendale	Yes	Property Maintenance Code Ch. 1468	Yes	Ordinance Ch.610, 618, 648, 660, &666	Part-Time	File system	Both
Fairfax	Yes	Property Maintenance Code	No	No	Part-Time	Excel spreadsheet	Both
Glendale	Yes	Glendale, Ohio Code of Ordinance 155.01-155.04	Yes	Glendale, Ohio Code of Ordinance 94.01-94.03, 93.05	Contract, Part-Time (Dan Bly)	Police Reports	Both
Golf Manor	Yes	BOCA national property maintenance code	Yes	Ordinance Ch. 553	Full-Time	Computer program	Both
Greenhills	Yes	Ordinance Ch. 1321	Yes	Ordinance Ch. 1323	Full-Time	Record of citations	Both
Lincoln Heights	Yes		Yes		Yes, contractors		
Lockland	Yes	Building and housing code Ch. 1420-1422, 1440, 1442, 1480, 1490, 1491& Ordinance Ch. 1424	Yes	Cincinnati law library	Part-time, Contract-National Inspection Corp.	Contrator maintains records	Both
Mariemont	Yes	Ordinance for exterior and BOCA for interior	Yes	Ordinance Ch. 93	Part-Time, Contract	10% cited, 1600 letters substandard system	Both
Newtown	Yes	International property maintenance code	No	No	Part-Time	Not in effect until 6/03	Both
North Bend	Yes	No	Yes	Ordinance Ch. 103	No	Hamilton County Regional Planning	Exterior
Terrace Park	Yes, for cutting the grass	Terrance Park code of ordinance	Yes	Terrance Park code of ordinance	Police	paper files	Exterior
Woodlawn	Yes	Ordinance Ch. 303, 304, 1296 & BOCA Ch. PM-303, PM-304	Yes	BOCA Ch. PM-306, PM-307 & Ordinance Ch. 660, 668, 1060	Part-Time		Exterior

Mariemont have contract part-time property maintenance officers. Lockland contracts the national inspection corporation while Glendale has a contract with Dan Bly.

- Fairfax and Golf Manor keep a computerized database for complaints made. Amberley, Elmwood Place, Evendale, and Mariemont have a paper system to track complaints. Glendale uses police reports to track and Greenhills keeps records of property maintenance citations. Lockland depends of the contractor to maintain records, and North Bend depends on Hamilton County to maintain records. Newtown does not keep track of maintenance records.
- North Bend is the only jurisdiction with a property maintenance code that only provides regulations for the outside of the building. Amberly, Elmwood Place, Evendale, Fairfax, Glendale, Golf Manor, Green Hills, Lockland, Mariemont, Newtown, and Woodlawn all have regulations for the inside and the outside of buildings in their property maintenance code.

TOWNSHIPS

- There are 12 townships total in Hamilton County.
- Ten out of the 12 townships, 83%, completed the survey, they are: Anderson, Colerain, Columbia, Crosby, Delhi, Green, Harrison, Miami, Springfield, and Symmes.
- All of the jurisdictions that replied do not have existing property maintenance code, except Crosby and Harrison.
- Harrison has regulations for the inside and the outside of buildings in their property maintenance code.
- All of the jurisdictions that replied have a nuisance ordinance.
- Columbia and Green are the only jurisdictions without some type of officer. Anderson, Colerain, Delhi, and Symmes report having a full-time officer. Crosby and Springfield have a part-time officer. Harrison and Miami have part-time officers contracted with RPC/RZC.
- Anderson, Colerain, Columbia, Delhi, and Springfield keep a computer database for complaints made. Harrison has a paper system to track complaints. Crosby depends of the nuisance inspectors to maintain records, and Green depends on the Fire Department to maintain records.
- The vacancy rate total for all 12 townships is 3.38% and the average is 4.1%.
- The owner occupied total for all 12 townships is 88,594. The rental occupied total for all 12 townships is 18,432 units.

	Existing Property Maintenance Code	Copy of P.M.C. in Office	Existing Nuisance Ordinance	Copy of N.O. in Office	Property Maintenance Officer	Tracking Summary	Focus (exterior or interior or both)
Anderson	No	No	Yes	ORC	Full time zoning inspector	Anonymous complaints and log into database	Exterior
Colerain	No	No	Yes	ORC 519.07	Full time zoning inspector	Tracking database	Exterior
Columbia	No	No	Yes	ORC 505.86	Full-time, part of duties (Mike Lemon)	Township database	Exterior
Crosby	Yes		Yes	ORC 505.86 & 505.87 & 955.221	Yes, part time	Submitted by Zoning Inspector then turned over to Nuisance inspector	Exterior
Delhi	No	No	Yes	Nuisance Resolution: Delhi Township Board of Trustees at Resolution #93-37, 5-26-93	Yes, full time	Computer data base	Exterior
Green	No	No	Yes	ORC 505.86	Yes, part time	Fire Dept. Tracks Building Code Issues	Exterior
Harrison	Yes	Hamilton County Building Code (exterior only)	Yes	State Statue	Full-time, Contract with RPC/RZC	Copies of nuisance letters	Exterior
Miami	No	No	Yes	No	Contract with RPC/RZC		
Springfield	No	No	Yes	ORC 505.86	Part-Time/ zoning, nuisance officer	Database	Exterior
Sycamore	Yes	Zoning Resolution Only	Yes	State Statue	Yes, Full-time zoning inspector	In house database working w. CAGIS permit plus	Exterior
Symmes	No	No	Yes	Resolution G-8707	Yes, full-time part of duties	Hamilton County Database	Exterior
Whitewater							

HIP HELPS HUNDREDS

The Home Improvement Program (HIP), developed by the Hamilton County Commissioners, allows Hamilton County homeowners to borrow money to repair or remodel their homes or rental properties at interest rates 3% below the lowest rate usually offered by a bank. The program is based on the Housing Enhancement Loan Program, HELP, used in Cuyahoga County, Ohio. HIP was approved in Spring 2002 with \$28 million allotted from the overall poll. It officially began June 3, 2002 with the help of five participating banks in the county. These banks are: Fifth Third Bank, US Bank, Key Bank, Provident Bank, and North Side Bank. Currently all but two communities, Arlington Heights and Milford, are participating in the program. Kevin Brown, the HIP coordinator, said “since the program began it has become more and more successful.” He stated that they have already issued approximately 450 loans averaging \$14,000 with a typical interest rate of 4%.

There is at least one loan in thirty-nine of the forty-seven participating communities. One hundred forty-eight of these loans have been distributed to homeowners in the City of Cincinnati, forty-five in Green Township, and thirty-one in Delhi Township. Of the \$28 million allocated, \$4.7 million is currently invested. If funds were to run out, new loans would be put on hold but existing loans would still be valid.

HIP has no income restrictions for loan eligibility, it can be used on single- and two-family homes valuing up to \$300,000, and there is no property value limit for multifamily dwellings. Loans can be used for alterations, repair, maintenance or improvement, code violation compliance, and property upgrades. There is a \$50,000 cap on the loans and they are given for a five year term. Only one outstanding loan can be issued at any given time. The HIP had been approved for three years with the possibility of renewal in June, 2005. At that time citizens can write their commissioners advocating that the HIP be renewed. For more information please contact: Kevin Brown, HIP Coordinator at (513) 946-4988 Or visit the website at:<http://www.hamilton-co.org/commissioners/doc/hip.htm>

Source:

Thomas, Amber. 2003. HIP Hundreds. Article published on UPDATE, March 2003 issue, pg.2. UPDATE is a quarterly publication of the Planning Partnership of the Hamilton County Regional Planning Commission. Available online at http://www.planningpartnership.org/update/2003_03.pdf

INSURANCE RATES AND CODE ENFORCEMENT

Insurance Services Office (ISO) offers support for property/casualty insurance companies and brokers with information on liability and risk. In the early 90s, ISO developed the Building Code Effectiveness Grading Schedule (BCEGS) based on the concept that jurisdictions with effective, well-enforced codes demonstrate better loss experience when disaster strikes and insurance rates could reflect that.

The ISO rating based on the BCEGS places jurisdictions in an a scale 1-10, 1 being the highest. Insurance agents can use this grading system in establishing premiums they charge for property insurance; the better a jurisdiction's grade, the lower the premium for property insurance for the jurisdiction. Hamilton County, as a whole, receives a rating of 2. This ranking applies to the jurisdictions the county inspects. Some jurisdictions have the capacity for residential inspections only and use the county for commercial inspections.(Deer Park, Wyoming, Addyston, Cleves, Golf Manor, and Terrace Park).

A jurisdiction may choose not to participate in the BCEGS survey, which is the case of Elmwood Place. The BCEGS rating for jurisdictions in the county is presented in the table on the right. BCEGS only rates new construction, both commercial and residential. When a jurisdiction receives a rating, it only affects buildings built after ISO's evaluation.

ISO updates or reevaluates the BCEGS on a five year basis. To determine the grading ISO uses a 20-page questionnaire that measures the resources and support made available to building code enforcement. The survey evaluates: Staffing: enough staff for the number of permits, plan reviews, and inspections the city handles. Performance evaluation and ongoing training of the staff is also considered.

Codes and Ordinances: type of building codes (standard codes such as BOCA, Building Officials and Code Administrators, or NFPA, National Fire Protection Association, receive a higher ranking or more points) and other factors that can be contributed to proper building construction.

Building Code Effectiveness Grading Schedule (BCEGS) for Hamilton County

Cities			Villages			Townships		
Jurisdiction	Residential	Commercial	Jurisdiction	Residential	Commercial	Jurisdiction	Residential	Commercial
Blue Ash	4	4	Addyston	6	2 (*)	Anderson	2 (*)	2 (*)
Cheviot	4	4	Amberley Village	2 (*)	2 (*)	Colerain	2 (*)	2 (*)
Cincinnati	3	3	Arlington Heights	6	6	Columbia	2 (*)	2 (*)
Deer Park	6	2 (*)	Cleves	6	2 (*)	Crosby	2 (*)	2 (*)
Forest Park	4	4	Elmwood Place	Refused	2 (*)	Delhi	2 (*)	2 (*)
Harrison	5	2 (*)	Evendale	4	4	Green	2 (*)	2 (*)
Indian Hill	2 (*)	2 (*)	Fairfax	5	5	Harrison	2 (*)	2 (*)
Loveland	3	3	Glendale	5		Miami	2 (*)	2 (*)
Madeira	3	3	Golf Manor	8	2 (*)	Springfield	2 (*)	2 (*)
Milford	4	4	Greenhills	4	4	Sycamore	2 (*)	2 (*)
Montgomery	4	4	Lincoln Heights	5		Symmes	2 (*)	2 (*)
Mount Healthy	4	4	Lockland	6	6	Whitewater	2 (*)	2 (*)
North College Hill	8	4	Mariemont	5	5			
Norwood	8	4	Newtown	2 (*)	2 (*)			
Reading	4	4	North Bend	2 (*)	2 (*)			
Saint Bernard	5	5	Terrace Park	6	2 (*)			
Sharonville	4	4	Woodlawn	9	4			
Silverton	5	5						
Springdale	4	4						
Wyoming	5	2 (*)						

2(*) The Jurisdiction uses Hamilton County for building inspection and retains the county ranking

Source: Community Mitigation Classification - Public Protection Classification, ISO Properties Inc.

Building Plan Review practices and procedures for reviewing building plans before construction, and On-Site Inspections Because the BCEGS is a benchmark that enables jurisdictions to assess the quality of their new construction, the safety of their properties and the effectiveness of their inspections, jurisdictions can use it to systematically evaluate the progress in the upgrading their properties, one step at a time. Communities that rely on up-to date building codes and proper code enforcement are more likely to see the value of their structures increase, with a consequent increase in property taxes, while passing to the property owners the benefits of a reduced insurance rates.

Source:

Sewell, Kevin. 2003. Insurance Rate and Code Enforcement. An article published on UPDATE, December 2003 issue, pg.5. UPDATE is a quarterly publication of the Planning Partnership of the Hamilton County Regional Planning Commission. Available online at http://www.planningpartnership.org/update/12_2003.pdf

BUILDING CODE EFFECTIVENESS GRADING SCHEDULE (BCEGS)

QUESTIONNAIRE

This questionnaire measures the resources and support made available to *building code* enforcement and the use of those resources as they apply to the mitigation of natural hazards common to the *jurisdiction* measured.

Please use the same 12-month period when answering all questions in this questionnaire.

We have included a glossary to help you complete this questionnaire. Terms in italics are in the glossary.

Name of Jurisdiction: _____

Name and title of the *jurisdiction* representative who filled out this questionnaire:

Name of the ISO representative who conducted the *jurisdiction* interview:

12-month period of time used for information throughout the questionnaire:

_____ to _____, 20 _____

Survey Date (for ISO use only): _____

BUILDING CODE EFFECTIVENESS GRADING SCHEDULE

BACKGROUND DATA

1. Name of *jurisdiction* (for ISO use only): _____
- 1A. Name of county _____ 1B. Name of state _____
2. Six-digit National Flood Insurance Program (NFIP) number _____
3. What year was the *jurisdiction* established? _____ or incorporated? _____
4. What year was the building department established? _____
- 4A. If *building codes* were enforced in the *jurisdiction* before the current building department's establishment, what was the name of the enforcing agency?

- 4B. What was the first year of continual *building code* enforcement? _____
5. Chief administrative officer (mayor, city manager, etc.)
Name _____
Title _____
Physical Address _____
Mailing Address _____
City _____ State _____ ZIP Code _____
Telephone (_____) _____ E-mail _____
6. *Building Official*
Name _____
Title _____
Physical Address _____
Mailing Address _____
City _____ State _____ ZIP Code _____
Telephone (_____) _____ E-mail _____

7. Size of *jurisdiction* in square miles _____
- 7A. Please provide a current map that shows the boundaries of the area served by the building department.
Identify the map source: _____
- 7B. If the building department serves multiple *jurisdictions* — as is common with county departments — provide a list of the *jurisdictions* served and each *jurisdiction's* NFIP number. Attach a separate sheet if necessary.

<i>Jurisdiction</i> Name	County	NFIP Number or DNA	Population or INA

8. Base population served by the building department _____
Seasonal population, if applicable _____
Indicate source: ☐ most recent census year _____ ☐ 1990 census ☐ 2000 census
9. Indicate the total *fair-market value* or assessed value of all buildings in the *jurisdiction* served by the building department:
Fair-market value \$ _____
- or -
Assessed value \$ _____ Year of most recent assessment _____
- Indicate which of the following are not included in the above figure:
- | | |
|---|---|
| <input type="checkbox"/> land value | <input type="checkbox"/> religious buildings |
| <input type="checkbox"/> educational facilities | <input type="checkbox"/> military buildings |
| <input type="checkbox"/> hospitals | <input type="checkbox"/> government buildings |
| <input type="checkbox"/> other _____ | |
- If the value above is the assessed value, show the percentage of *fair-market value* used.
_____ %
- 9A. Indicate the source of the above figure:
☐ tax assessor
Name _____
Mailing Address _____
City _____ State _____ ZIP Code _____
Telephone (_____) _____ E-mail _____
☐ other source _____

10. *Jurisdiction Structure*

- ☐ city ☐ county ☐ township ☐ village
☐ town ☐ state ☐ other _____

11. *Type of Government*

- ☐ mayor/council ☐ fire district
☐ city manager ☐ county commission
☐ county executive ☐ committee
☐ town meeting ☐ other _____

12. What is the total number of permits requiring *inspection* for the reporting period? _____

13. Provide the number of permits requiring inspection for each category:

Commercial / Multi Family	Building	Electrical	Fuel Gas	Mechanical	Plumbing	Total
New Buildings						
Additions						
Renovations						
Manufactured / Modular						
^A Other Building Related						
^B Other non building related						
Commercial / Multi Family Subtotal						^C

Residential	Building	Electrical	Fuel Gas	Mechanical	Plumbing	Total
New Buildings						
Additions						
Renovations						
Manufactured / Modular						
^A Other Building Related						
^B Other non building related						
Residential Subtotal						^C

Note A permits are building-related; for example, barns, sheds, roofing, siding, demolition, and house moving, among others

Note B permits are not building related for example pools signs and fences

Note C commercial / Multi Family Subtotal + Residential Subtotal = 12 above

- 13A. Does the building department maintain detailed records of permit activity?
Note: Records should include the property the permit was issued to, the type of project permitted, such as new construction, *addition*, or *renovation*, and the value of the work performed.

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

(a) If yes, are the records stored electronically?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

(b) Are the electronic records available to the public?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

1. What format are the records available in? _____

14. Does the building department issue permits for every 1- and 2-family dwelling proposed regardless of *plan review* activity?

☐ yes ☐ no

15. Does the building department use any of the following tools to save time and increase efficiency?

(a) computerized *inspection* documentation ☐ yes ☐ no

(b) computerized *plan review* ☐ yes ☐ no

(c) cellular phones ☐ yes ☐ no

If the building department uses other technology or tools to save time and increase efficiency, please list them: _____

16. During the reporting period, how many building permits has the building department/*jurisdiction* issued in the floodplain? _____

- 16A. During the reporting period, how many variances from NFIP requirements has the building department/*jurisdiction* issued in the floodplain? _____

- 16B. Does the *jurisdiction* regulate the placement of mobile homes on foundation systems in the floodplain?

☐ yes ☐ no ☐ *jurisdiction* does not contain a floodplain

If yes, which local government department regulates such placements?

- ☐ health department
☐ building department
☐ zoning department
☐ housing department

- 16C. Are mobile homes prohibited in the floodplain?

☐ yes ☐ no ☐ *jurisdiction* does not contain a floodplain

16D. Does your local *jurisdiction* use a Geographic Information System (GIS)?

☐ yes ☐ no

If yes, what kind? (for example, ArcView, MapInfo) _____

What type of information do you track? _____

17. What natural hazards is your *jurisdiction* subject to?

- ☐ soil subsidence
- ☐ soil liquefaction
- ☐ floods
- ☐ tsunamis
- ☐ swelling soils
- ☐ volcanoes
- ☐ earthquake
- ☐ tornado
- ☐ hurricanes
- ☐ lightning
- ☐ brush/forest fires
- ☐ high winds
- ☐ snow loads
- ☐ hail
- ☐ landslide/mudflow/debris flow
- ☐ none
- ☐ other _____

18. Which of the natural hazards below are addressed in your *jurisdiction's* additions, deletions, or modifications to adopted *building codes*?

- ☐ soil subsidence
- ☐ soil liquefaction
- ☐ floods
- ☐ tsunamis
- ☐ swelling soils
- ☐ volcanoes
- ☐ earthquake
- ☐ tornado
- ☐ hurricanes
- ☐ lightning
- ☐ brush/forest fires
- ☐ high winds
- ☐ snow loads
- ☐ hail
- ☐ landslide/mudflow/debris flow
- ☐ none
- ☐ other _____

-
19. Does the *jurisdiction* have a written mitigation plan or strategy that outlines mitigation activities following a natural disaster?
☐ yes ☐ no
- If yes, what is the name of the plan? _____
- 19A. Does the *jurisdiction* have a written plan to address the surge in building-permit requests and *inspections* associated with post-disaster reconstruction after a catastrophic event?
☐ yes ☐ no
- 19B. Do you have a written agreement in place with other *building code* enforcement agencies to share resources when addressing post-disaster reconstruction issues?
☐ yes ☐ no
20. Indicate the permit valuation — also known as the construction value — in the *jurisdiction* for the reporting period in each of the following categories. Include new construction as well as *additions/renovations*.
- (a) Commercial _____ multifamily _____
- (b) Residential
- 1- and 2-family _____ manufactured homes _____
21. How does the building department establish the permit valuation?
☐ model *building code* table without revision
☐ model *building code* table with revisions
☐ builder/contractor ☐ local ☐ other
- If local or other, describe: _____
22. How does the *jurisdiction* fund the operations of the *building code* enforcement department?
☐ *general fund* ☐ *enterprise system*
☐ combination *general fund* _____% *enterprise system* _____%
☐ other
- If other, describe: _____
23. Please complete the ***Employee Data Sheet*** included at the end of the questionnaire for each *code enforcement* employee or contract inspector/plan reviewer. Refer to *Code-Enforcement Official* on page G1 of the Glossary for *excluded activities*.
- Indicate how many *employee data sheets* you have completed and submitted.

- Note:** This number should equal the number of code enforcement employees or contract plan reviewers/inspectors in your department.

I. ADMINISTRATION OF CODES

1. Indicate the model codes currently enforced and show when the *jurisdiction* adopted each.

	INT'L	NFP A	other	Edition/ Revision Year	Year Adopted
(a) Building Code					
(b) 1- and 2-Family Dwelling Code	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
(c) Commercial Electrical Code					
Residential Electrical Code	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
(d) Commercial Mechanical Code					
Residential Mechanical Code	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
(e) Commercial Fuel Gas Code					
Residential Fuel Gas Code	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
(f) Commercial Plumbing Code					
Residential Plumbing Code	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
(g) Commercial Energy Code					
Residential Energy Code	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
(h) Commercial Urban Wildland Interface					
Residential Urban Wildland Interface	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
(i) Other					

If other, describe: _____

- 1A. Provide the ordinance/statute number adopting the current *building code*:

Commercial _____ Residential _____

2. If using model codes have the structural-design provisions, intended to mitigate against natural hazards, been weakened by amendments statewide or locally?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

3. Provide a copy of local amendments to the structural-design provisions of the model code. Attach additional sheets if necessary.

Briefly explain the reasons for the amendments. _____

- 3A. Does the *jurisdiction* contain natural hazards requiring special attention according to the nationally recognized building-code organization?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

- 3B. Does the *jurisdiction* adopt and implement codes — without structural amendments — within one year of the nationally recognized building-code organization's publication date?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

For questions 4 and 5, if you have a joint department — such as a building/zoning department or building/engineering department — exclude funds for activities other than the building department.

4. What were the operating expenditures — including salaries and overhead — for all building-department activities during the reporting period? \$ _____
5. What were the building department's training expenditures in the reporting period?
\$ _____
Note: Expenditures include course fees, meals, and travel expenses but not salaries for the time spent in training.
6. Does your department pay certification examination fees?
Commercial ☐ yes ☐ no Residential ☐ yes ☐ no
7. Does your department provide incentives — such as spot bonuses, salary increases, and promotions — for an employee to obtain outside training/certification?
Commercial ☐ yes ☐ no Residential ☐ yes ☐ no
If yes, describe: _____
8. Does your department fund continuing-education activities or provide financial incentives for continuing education?
Commercial ☐ yes ☐ no Residential ☐ yes ☐ no
9. Does your *jurisdiction* have a formal appeal process?
Commercial ☐ yes ☐ no Residential ☐ yes ☐ no
(a) If yes, does it differ from that outlined in the adopted code?
Commercial ☐ yes ☐ no Residential ☐ yes ☐ no
If yes, explain: _____
10. Indicate the authority that would commonly act upon appeals to the *Building Official's* code interpretations:
☐ building code board of appeals
☐ zoning code board of appeals
☐ city manager
☐ mayor
☐ city/town council
☐ other
If other, describe: _____

11. Of the authority(ies) checked in question 10, show the number of hours — over the previous 12 months — that each individual spent receiving code-enforcement education. **Note:** To receive credit, you must complete the name and occupation fields. Attach additional sheets if necessary.

Name	Occupation	Hours	Commercial Board	Residential Board
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

12. Does your state or local *jurisdiction* have a mandated program for *code enforcement officials* for certification/licensing?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

(a) If yes, indicate which codes:

Commercial

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

Residential

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

- 12A. Does the certification/licensing program require individuals to complete code-specific educational classes before they can take the exam?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

(a) If yes, indicate which codes:

Commercial

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

Residential

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

12B. Does the certification/licensing program include continuing education?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

(a) If yes, indicate which codes:

Commercial

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

Residential

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

12C. If the certification/licensing program requires continuing education, what is the interval for recertification?

Commercial

building _____ electrical _____ mechanical _____

fuel gas _____ plumbing _____

Residential

building _____ electrical _____ mechanical _____

fuel gas _____ plumbing _____

13. Does the *jurisdiction* require that, before employment, code-enforcement personnel receive certification in the field where they will work?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

(a) If yes, indicate which codes:

Commercial

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

Residential

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

(b) If not, must personnel achieve certification within a fixed period of time?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

(c) If yes, specify the time period below.

Commercial

building _____ electrical _____ mechanical _____

fuel gas _____ plumbing _____

Residential

building _____ electrical _____ mechanical _____

fuel gas _____ plumbing _____

14. Indicate the qualifications of the current *Building Official*:

☐ CBO ICC *certified Building Official* or equivalent

☐ licensed engineer/architect

☐ other

If other, describe: _____

14A. Education:

- ☐ high school diploma
- ☐ college degree
 - ☐ associates degree
 - ☐ bachelors degree
 - ☐ masters degree
 - ☐ other type of degree _____

14B.

	<i>Building Official's Work Experience in Years</i>			
	No experience	Less than 2	2 to 5	More than 5
Construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Code Enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Building Official</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. How does the *jurisdiction* select the *Building Official*?

- ☐ examination – describe type of exam: _____
(for example, civil service, model code, CBO, etc.)
- ☐ peer review by other *Building Officials*
- ☐ promotion
- ☐ other

If other, explain: _____

16. Does a job description exist for the *Building Official*?

- ☐ yes ☐ no

If yes, attach a copy.

17. Which department reviews floodplain construction and development for compliance with minimum local National Flood Insurance Program (NFIP) standards?

- ☐ building department ☐ zoning department
- ☐ other ☐ *jurisdiction* does not contain a floodplain

If other, explain: _____

18. What standard(s)/ordinance(s) does the *jurisdiction* use for floodplain construction/development?

- ☐ *building code*
- ☐ NFIP regulations
- ☐ zoning/subdivision ordinance
- ☐ other
- ☐ none
- ☐ *jurisdiction* does not contain a floodplain

If other or none, explain: _____

19. Does your *jurisdiction* have special zoning provisions in response to local natural hazards other than flood?

Commercial ☐ yes ☐ no ☐ does not apply

Residential ☐ yes ☐ no ☐ does not apply

If yes, describe: _____

20. Does the *jurisdiction* require contractors, builders, and tradespeople to be licensed or registered?

Commercial ☐ yes ☐ no

Residential ☐ yes ☐ no

(a) If yes, which trades require licensing?

Commercial

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

Residential

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

21. Does the *jurisdiction*, state, or county require contractors, builders, and tradespeople to be licensed by:

(a) examination?

Commercial ☐ yes ☐ no

Residential ☐ yes ☐ no

If yes, which trades require examination?

Commercial

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

Residential

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

(b) experience?

Commercial ☐ yes ☐ no

Residential ☐ yes ☐ no

If yes, which trades require experience?

Commercial

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

Residential

☐ building ☐ electrical ☐ mechanical ☐ fuel gas ☐ plumbing

22. Do *bonding requirements* for building contractors exist in the state, county, or city?

Note: This question does not apply to site work or road openings.

Commercial ☐ yes ☐ no

Residential ☐ yes ☐ no

23. If the state, county, or city require bonds for building contractors, indicate the type:

☐ surety ☐ performance ☐ other _____

-
24. Does the *jurisdiction*/building department have a public-awareness program for *building code* enforcement for new construction?
- ☐ yes ☐ no ☐ done by another department
- (a) If yes, in which of the following areas?
- ☐ presentation to civic groups architects/contractors trade schools
☐ Internet or web site ☐ newspaper
☐ newsletters ☐ pamphlets for general public
☐ TV/radio ☐ other _____
- (b) Indicate expenditures for this activity during the period: \$ _____
- (c) Indicate the number of staff hours spent in this activity during the period: _____ hrs
25. Does the *jurisdiction*/building department have a public-awareness program for flood mitigation for new construction?
- ☐ yes ☐ no ☐ done by another department
- (a) If yes, in which of the following areas?:
- ☐ presentation to civic groups architects/contractors trade schools
☐ Internet or web site ☐ newspaper
☐ newsletters ☐ pamphlets for general public
☐ TV/radio ☐ other _____
26. Does the building department participate in code-change activities?
- ☐ yes ☐ no
- (a) If yes, in which organizations are you active?
- ☐ ICC ☐ NFPA ☐ State ☐ other _____
- (b) If you are active in one or more organizations, do the organizations submit changes to *building codes*?
- ☐ yes ☐ no
- (c) If you are active in one or more organizations, which meetings do building-department members attend?
- ☐ midyear meetings
☐ annual meetings
☐ chapter meetings
☐ don't attend meetings
27. Does an active *Building Officials'* association or code chapter exist in the *jurisdiction's* area?
- ☐ local ☐ state ☐ no association or chapter
28. Which of these associations does your *jurisdiction* participate in?
- ☐ local ☐ state ☐ none

-
29. Does the building department have written administrative policies and procedures covering items such as employee-performance guidelines and employment practices?

☐ yes ☐ no

30. If yes, do policies and procedures cover technical code requirements?

Note: Policies and procedures may include standard project-approval steps, references to related ordinances, interpretations of code issues, and local regulations that modify or unite the adopted code.

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

- (a) If yes, do you make policies and procedures available to the public?

Note: Promotional efforts can include permit-counter signs, posted notices, and notes in brochures.

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

II. PLAN REVIEW

1. How many *plan reviews* did the department perform during the reporting period? _____
2. Provide the number of plan reviews requiring inspection for each category:

Commercial / Multi Family	Building	Electrical	Fuel Gas	Mechanical	Plumbing	Total
New Buildings						
Additions						
Renovations						
Manufactured / Modular						
^A Other Building Related						
^B Other non building related						
Commercial / Multi Family Subtotal						^C

Residential	Building	Electrical	Fuel Gas	Mechanical	Plumbing	Total
New Buildings						
Additions						
Renovations						
Manufactured / Modular						
^A Other Building Related						
^B Other non building related						
Residential Subtotal						^C

Note A plan reviews are building-related; for example, barns, sheds, roofing, siding, demolition, and house moving, among others

Note B plan reviews are not building related for example pools signs and fences

Note C commercial / Multi Family Subtotal + Residential Subtotal = 1 above

3. Does the *jurisdiction* require plans detailing structural criteria for all multifamily and commercial projects?
☐ yes ☐ no ☐ some: _____ %

(a) If yes, does the *Building Official* or a qualified designee review the required plans for compliance with adopted codes before issuing a building permit?
☐ yes ☐ no
4. Does the *jurisdiction* require plans detailing structural criteria for all 1- and 2-family dwelling projects, other than prototypes?
☐ yes ☐ no ☐ some: _____ %

If some, explain: _____
- 4A. Does the building department — or other authority — conduct a detailed structural *building code plan review* on all new 1- and 2-family dwellings?
☐ yes ☐ no ☐ some: _____ %

If some, explain: _____

-
- 4B. When a proposed project contains complex or unusual design features, does department policy require detailed structural *plan review* of 1- and 2-family dwellings by the *Building Official* or qualified designee?
☐ yes ☐ no
5. Does the building department perform a detailed *building code plan review* when a registered design professional — *certified* in the appropriate field — has signed and sealed the plan?
Commercial ☐ yes ☐ no Residential ☐ yes ☐ no
- 5A. Do building-department *plan reviews* include a review of structural design issues, such as continuous load paths, design-load assumptions, and calculation methodology?
Commercial ☐ yes ☐ no ☐ some: _____%
Residential ☐ yes ☐ no ☐ some: _____%
6. Does the department maintain detailed records of *plan-review* activity?
Note: Records should include the number of *plan reviews* conducted, whether performed in-house or by an outside source; the type of project reviewed, such as new construction, *additions*, and *renovations*; and the codes reviewed against, including building, plumbing, and electrical codes.
Commercial ☐ yes ☐ no Residential ☐ yes ☐ no
7. Does the *jurisdiction* require Federal Emergency Management Agency (FEMA) NFIP elevation certificates for construction and development in the floodplain?
☐ yes ☐ no
☐ *jurisdiction* does not contain a floodplain
☐ construction is prohibited in the floodplain
(a) If no, what elevation data does the *jurisdiction* collect during the permit process?
☐ flood zone ☐ base flood elevation ☐ lowest floor elevation
☐ lowest adjacent grade elevation ☐ none
8. Does the *jurisdiction* require the following special design certifications for new or substantially improved construction and development in the floodplain?
(a) FEMA (coastal) V-zone design certification – CFR 60.3 e (4)
☐ yes ☐ no ☐ does not apply
(b) nonresidential floodproofing design certification
☐ yes ☐ no ☐ does not apply
9. Does the *jurisdiction* enforce and implement state regulations affecting construction and development in the floodplain?
☐ yes ☐ no ☐ does not apply
(a) If yes, indicate some examples:
☐ freeboard ☐ more restrictive floodway ☐ erosion setbacks
☐ other If other, describe: _____

-
- 9A. If another authority regulates construction and development in the floodplain, what is that authority? _____
10. Does the building department rely on model code evaluation reports to approve new products and procedures related to building design revisions?
☐ yes ☐ no
(a) If yes, check applicable boxes:
☐ ICC ☐ NFPA ☐ NES ☐ other
(b) If no or other, how does the building department evaluate new products or procedures?

11. Does department policy require the use of a detailed written checklist in the plan-review process?
Commercial ☐ yes ☐ no Residential ☐ yes ☐ no
(a) If yes, does the checklist become a part of the permanent record?
Commercial ☐ yes ☐ no Residential ☐ yes ☐ no
12. How does the building department evaluate the performance of plan reviewers? Check all that apply.

<input type="checkbox"/> performance not evaluated	how often?
<input type="checkbox"/> general employee performance	_____
<input type="checkbox"/> follow-up <i>plan review</i>	_____
<input type="checkbox"/> other _____	_____
13. Does the building department use an outside *plan review* service — such as the state, or a third-party *plan review* agency — for model code *plan review*?
☐ yes ☐ no
(a) If yes, explain reasons:
☐ time constraints ☐ complexity ☐ special features
☐ other: _____

Name(s) of contract review service(s) _____

III. INSPECTION – ENFORCEMENT

1. Indicate the number of *inspections* completed — for all types of *inspections*, including reinspections — during the reporting period: _____
2. Provide the number of inspections for each category:

Commercial / Multi Family	Building	Electrical	Fuel Gas	Mechanical	Plumbing	Total
New Buildings						
Additions						
Renovations						
Manufactured / Modular						
^A Other Building Related						
^B Other non building related						
Commercial / Multi Family Subtotal						^C

Residential	Building	Electrical	Fuel Gas	Mechanical	Plumbing	Total
New Buildings						
Additions						
Renovations						
Manufactured / Modular						
^A Other Building Related						
^B Other non building related						
Residential Subtotal						^C

- Note A inspections are building-related; for example, barns, sheds, roofing, siding, demolition, and house moving, among others (do not include zoning, property maintenance, and fire prevention)
- Note B inspections are not building related for example pools signs and fences (do not include zoning, property maintenance, and fire prevention)
- Note C commercial / Multi Family Subtotal + Residential Subtotal = 1 above

3. Indicate the average number of building *inspections* — including building, electrical, plumbing, fuel gas, and mechanical *inspections* — performed each day per inspector for the period: _____
- 3A. Does the building department conduct building *inspections* on new 1- and 2-family dwellings?

☐ yes ☐ no ☐ some: _____%

 If some, explain: _____
- 3B. Does the building department use *certified* building inspectors for footing, foundation, framing, sheathing or insulation, and final building *inspections*?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no
- 3C. Does the building department conduct building *inspections* on new multifamily dwellings?

☐ yes ☐ no ☐ some: _____%

 If some, explain: _____

3D. Does the building department conduct building *inspections* on new commercial buildings?

☐ yes ☐ no ☐ some: _____%

If some, explain: _____

3E. Does the building department maintain detailed records of *inspection* activity?

Note: Records should include the number of *inspections* and reinspection conducted, whether performed in-house or by an outside source; the type of project inspected, such as new construction, *addition*, or *renovation*; and the building, plumbing, and electrical codes guiding *inspections*.

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

4. Does the department use contract inspectors?

☐ yes ☐ no

(a) If yes, indicate why:

☐ time constraints
☐ complexity
☐ special features
☐ other: _____

(b) If yes, for how many hours per week does the department use contract inspectors?

4A. How many *inspections* do contract inspectors perform each week? _____

4B. Must contract inspectors be *certified*? ☐ yes ☐ no

4C. Name of contract *inspection* service(s) _____

5. Does your *jurisdiction* have the authority to issue stop-work orders?

☐ yes ☐ no If no, explain: _____

(a) If yes, how many stop-work orders did the *jurisdiction* issue in the reporting period?

(b) If the *jurisdiction* did not issue any stop-work orders in the reporting period, provide the date of the last one issued: _____

6. During the reporting period, what approximate percentage of construction *inspections* received correction notices requiring reinspection? _____%

7. During the reporting period, what approximate percentage of construction-*inspection* correction notices resulted in stop-work orders? _____%

8. Does department policy require the use of a detailed written checklist for code compliance during on-site *inspections*?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

If yes, please attach a copy.

(a) If yes, does the checklist become a part of the permanent record?

Commercial ☐ yes ☐ no Residential ☐ yes ☐ no

9. Does the building department require *special inspections* for specific structural elements?
☐ yes ☐ no

If yes, list examples: _____

Attach additional sheets if necessary.

10. Does the *jurisdiction* require special inspectors to be *certified* by:
☐ exam ☐ experience ☐ interview
☐ other _____
☐ no certification required

11. Does the *jurisdiction* have *inspection* programs that focus on construction features that mitigate the natural hazards common to your area?

Note: Examples of such programs include load-path *inspections*, such as hold downs, shear-wall and roof-diaphragm nailing patterns, and hurricane clips.

☐ yes ☐ no ☐ does not apply

If yes, explain: _____

12. Does the department perform final *inspections* after the building is completed and before issuing a certificate of occupancy?

Commercial: ☐ yes ☐ no ☐ this building type not inspected
Residential: ☐ yes ☐ no ☐ this building type not inspected

13. Does the *jurisdiction* require certificates of occupancy for new buildings before the building is occupied?

Commercial: ☐ yes ☐ no ☐ this building type not inspected
Residential: ☐ yes ☐ no ☐ this building type not inspected

14. How does the department evaluate the performance of inspectors? Check all that apply.

<input type="checkbox"/> performance not evaluated	How Often?
<input type="checkbox"/> general employee performance	_____
<input type="checkbox"/> field follow-up <i>inspection</i>	_____
<input type="checkbox"/> other: _____	_____

Employee Data Sheet

Jurisdiction Name _____ State _____ Survey Date ____/____/200__
 Employee Name _____ Title _____

- ☐ Full time employee - indicate percent of time working as a code enforcement official _____ %
☐ Part time employee - indicate the number of hours worked per week _____ hours

Continuing Education & Training (use the previous 12 months or annual compilation - see Glossary):

Time being trained in the administration of codes _____ hours Time being trained in legal aspect of code enforcement _____ hours
 Time being mentored in the application of codes _____ hours Time being trained in technical aspect of code enforcement _____ hours

Experience:

Years of experience performing plan reviews _____ years Years of working experience in the construction industry _____ years
 Years of experience conducting field inspections _____ years (excluding work as a code enforcement official) _____ years

☐ Graduate or licensed Architect ☐ Graduate or licensed Engineer

Responsibilities: (indicate the percentage of time worked and certifications): Note-"A" through "T" plus Administration must equal 100 percent.

Note-% of time supervising plan reviewers or field inspectors should be recorded as a plan reviewer or field inspector in items A through T below.

____ % Administration (Building Official only) _____ % Supervise Plan Review _____ % Supervise Field Inspectors

Commercial		Certified By		ISO use	Residential		Certified By		ISO use
		Adopted Code	Other				Adopted Code	Other	
A	% Building inspector	<input type="checkbox"/>	<input type="checkbox"/>			K Building inspector	<input type="checkbox"/>	<input type="checkbox"/>	
B	% Electrical inspector	<input type="checkbox"/>	<input type="checkbox"/>			L Electrical inspector	<input type="checkbox"/>	<input type="checkbox"/>	
C	% Mechanical inspector	<input type="checkbox"/>	<input type="checkbox"/>			M Mechanical inspector	<input type="checkbox"/>	<input type="checkbox"/>	
D	% Fuel Gas inspector	<input type="checkbox"/>	<input type="checkbox"/>			N Fuel Gas inspector	<input type="checkbox"/>	<input type="checkbox"/>	
E	% Plumbing inspector	<input type="checkbox"/>	<input type="checkbox"/>			O Plumbing inspector	<input type="checkbox"/>	<input type="checkbox"/>	
F	% Building plan reviewer	<input type="checkbox"/>	<input type="checkbox"/>			P Building plan reviewer	<input type="checkbox"/>	<input type="checkbox"/>	
G	% Electrical plan reviewer	<input type="checkbox"/>	<input type="checkbox"/>			Q Electrical plan reviewer	<input type="checkbox"/>	<input type="checkbox"/>	
H	% Mechanical plan reviewer	<input type="checkbox"/>	<input type="checkbox"/>			R Mechanical plan reviewer	<input type="checkbox"/>	<input type="checkbox"/>	
I	% Fuel gas plan reviewer	<input type="checkbox"/>	<input type="checkbox"/>			S Fuel gas plan reviewer	<input type="checkbox"/>	<input type="checkbox"/>	
J	% Plumbing plan reviewer	<input type="checkbox"/>	<input type="checkbox"/>			T Plumbing plan reviewer	<input type="checkbox"/>	<input type="checkbox"/>	

Please explain "Other" _____

5/01/03

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BUILDING CODE EFFECTIVENESS GRADING SCHEDULE GLOSSARY

Page G1 of G4

Addition – Construction that increases the square footage or the footprint of a building. This type of work requires structural components. Benchmarks for plan review and *inspections* are equivalent to those used for new buildings.

Administration – Time spent running the department, dealing with budget issues, coordinating with other departments, and resolving personnel problems. Administration time does not include time spent supervising individual staff members. Administration time is for *Building Officials* only.

Bonding Requirements – *Jurisdictions* earn credit by requiring bonds designed to protect the consumer and fund the completion of the project if the building contractor is unable or unwilling to fulfill original obligations.

Building Official – The head of the department that performs construction *inspections* and plan reviews.

Building Code – *Jurisdictions* earn credit by adopting and enforcing the latest code edition of a nationally recognized building-code organization. The organization must also provide training, individual certification, and product/procedure evaluation services to be considered a nationally recognized building-code organization. *Jurisdictions* can earn partial credit for adopted regulations not developed by a nationally recognized building-code organization. *Jurisdictions* may also earn partial credit if state or local amendments modify or delete provisions for natural-hazard mitigation within the adopted nationally recognized building codes. ISO will compare the adopted code to the latest edition of nationally recognized building codes.

Certified – An individual is certified when he or she has met the minimum training and testing requirements specified by a nationally recognized building-code organization or equivalent.

Code-Enforcement Official – A person engaged in performing plan reviews and/or field *inspections* to determine compliance with a building, plumbing, mechanical, fuel gas, energy, urban/wildland, or electrical code. May also include personnel *certified* in an element of *building-code* enforcement whose primary function is customer service. For the purposes of the BCEGS program, zoning code, property maintenance, and fire-code enforcement related to property maintenance are not creditable.

Commercial – Includes buildings or structures or any appurtenances connected or attached to such buildings or structures i.e. industrial, multifamily.

Employee Data Sheet – Complete this form, included at the end of the questionnaire, for each code-enforcement employee or contract inspector/plan reviewer. You must follow the following guidelines when completing this form:

1. Only *Building Officials* may indicate responsibility in the **Administration** field.
2. The percentages you list in the **Administration** field and items **A** through **T** should total 100%.
3. If you list a certain percentage in the **Supervise Plan Review** field, you must record at least that percentage for plan review activities in items **A** through **T**.
4. If you list a certain percentage in the **Supervise Field Inspectors** field, you must record at least that percentage for field inspector activities in items **A** through **T**.

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BUILDING CODE EFFECTIVENESS GRADING SCHEDULE GLOSSARY

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Enterprise System – An accounting method used when fees collected by the building department provide funding for department expenses. This system is most common with independent or third-party agencies.

Fair-Market Value – The agreed-upon price of a willing buyer and seller without undue pressure.

General Fund – An accounting method used when the jurisdiction deposits fees collected by the building department into a specific line item or a general fund. The fund provides for the department's expenses. This system is common when the department is part of the *jurisdiction's* governing body.

Inspection – A construction-site visit made to determine compliance with construction standards. One inspection determines compliance for one trade. A cross-trained inspector can perform multiple inspections during a single site visit. The BCEGS program tracks the number of inspections, not the number of site visits. The inspection count should include inspections for remodel/addition projects as well as those for new construction. The inspection count should also include reinspections.

Jurisdiction – The common name for the area — with defined political boundaries — served by the building department. Jurisdictions include, but are not limited to, cities, towns, townships, boroughs, villages, counties, and parishes.

Plan Review – The plan review process shall occur before the department issues a permit. The *Building Official* shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examination whether the construction indicated and described is in accordance with the requirements of the adopted building code and any other pertinent laws or ordinances. All buildings not classified as 1-and 2- family dwellings are commercial buildings. Due to the inherent complexity of commercial buildings, the BCEGS program does not include a guide for plan review of those structures.

Plan Review, 1- and 2-Family

The following six items represent the minimum acceptable level of plan review for inclusion in the BCEGS program.

- 1) Plot Plan
 - location of the building on the site, as well as required setbacks, easements, property lines
- 2) Footing/Foundation
 - minimum frost depth
 - for basement and crawlspace construction, a description of footing material and dimensions, as well as foundation wall material and dimensions and maximum depth of unbalanced fill being supported, and dimensions of any internal piers
 - for slab-on-ground construction, a description of the slab and haunch details used
- 3) Wood-Framed Floors
 - live loads being supported, size of joists, type of joist (solid sawn or engineered), span of joists, spacing of joists, minimum required wood grade of joists, span/material/dimensions of intermediate girders, anchorage requirements (anchor bolts/straps — number, spacing, size, etc.), type/minimum required grade of floor sheathing

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- 4) Wood-Framed Walls
 - size (2x4, 2x6) and spacing of studs, minimum required wood grade
 - size/span/material of headers
 - type of lateral support (structural sheathing, let-in braces, etc.)
- 5) Wood-Framed Roofs
 - live loads being supported, size of members, type of member (solid sawn, truss, or other engineered item), spacing, minimum required wood grade of members, means of anchorage to wall
- 6) In Areas of High Wind or Seismic Loading
 - a description of shearwall construction/location or other means used to counteract horizontal or overturning forces
 - a description of the methods used to establish continuous load paths in the structure

Prototype Plan Review – *Jurisdictions* conduct prototype plan reviews when developers propose multiple residential structures with varying floor plans and elevations but essentially identical structural components. ISO uses special calculations to determine workloads. To expedite the process, the *Building Official* should gather the following information:

- the number of models per subdivision proposed during the reporting period
- the total number of units per subdivision proposed during the reporting period
- the average time spent in plan review for each model plan submitted
- the average time spent reviewing each prototype for each plan submitted

Renovations – The removal, replacement, or covering of existing interior or exterior finish, trim, doors, windows, or other materials, with new materials that serve the same purpose and do not change the configuration of the space. *Renovations* include the replacement of equipment and fixtures.

Residential - Detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures. It is important to note that a separate means of egress is a key element in distinguishing a multifamily dwelling from a 1- and 2-family dwelling.

Special Inspections – When a building department does not have the expertise or equipment to conduct a special inspection, the department typically brings in private inspection agencies. Special inspections include, but are not limited to, soil-compaction testing, concrete testing, steel-frame bolt inspection, and inspection of welded structural assemblies, as defined by the model codes. After each special inspection, the building department often requires a written report on the status of the inspection. Special inspections occur most frequently in commercial construction.

Supervising Field Inspectors – Time spent coordinating the efforts and work loads of field inspectors and helping interpret the code as it applies to specific conditions in projects under construction.

Supervising Plan Review Staff – Time spent coordinating the efforts and workloads of plan reviewers and helping interpret the code as it applies to a project being reviewed.

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Training, Administration – Education in the internal workings of a building department. This includes training on permit processing and tracking, budgeting, staffing, supervising, managing, and public service issues.

Training, Legal – Education in the aspects of code enforcement affected by, and pertaining to, the legal rights, obligations, liabilities, and immunities of code-enforcement staff, building owners, and contractors.

Training, Technical – Education in aspects of code enforcement relating to the interpretation and enforcement of specific technical requirements as defined in the text of the various model codes.

Training, Mentored – One-on-one education in several aspects of code enforcement, including technical, legal, and *administration*. A common mentoring technique involves a senior field inspector accompanying a junior field inspector to provide construction-site instruction on specific issues and conditions about performing *inspections*.

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CINCINNATI LAND REUTILIZATION PROGRAM (CLRP)

The City of Cincinnati Department of Community Development and Planning is initiating the Cincinnati Land Reutilization Program (CLRP). The program goal is to return abandoned property to use, performed by an interdepartmental team to identify sites available through the Hamilton County Delinquent Real Estate Tax Roll that can be acquired by the City and made available for redevelopment.

This program offers opportunity for developer to purchase abandoned city properties with acquisition assistance from the city. This site acquisition assistance is every effort to make sites available for redevelopment, which gave benefit of lower site acquisition cost, with tax generating development on previously underutilized city parcels.

The desired usage are owner occupied housing and job producing developments. To be eligible, the developer needs to demonstrate development capacity. A multi-department, architectural review committee will approve the project, with final contract approved by the City Council. One of the program examples are single family homes on two CLRP sites in Evanston in late 2002 developed by Potterhill Homes, a parking lot expansion in Mt. Auburn for an attorney's Office, and four homes for the former CLRP sites on the Mt. Auburn hillside in 2003.

The Hamilton County Auditor's Valuation will determine the site cost. The CLRP staff will conduct annual site visit during the development period that will determine if the proposed project is meeting the guidelines. If the developer cannot build the properties as specified within two-three years, the property will revert to the City ownership.

Source:

The City of Cincinnati, Cincinnati Land Reutilization Program. Available online at [http://www.cincinnati-oh.gov/cdap/pages/-3486/-](http://www.cincinnati-oh.gov/cdap/pages/-3486/)

CITY [OF CINCINNATI] TO BEGIN CRACKDOWN ON OTR'S ABSENTEE OWNERS

The city of Cincinnati is launching an ambitious code enforcement program in Over-the-Rhine to crack down on landlords who let their buildings decay.

In the coming weeks, inspectors from the city's buildings and inspections department will mobilize to enforce not only building codes but also look for violations of city health codes and the litter and graffiti violations that other city departments typically enforce, said Assistant City Manager Deborah Holston.

"We're coming together to conduct sweeps," she said. "This will be a targeted, aggressive, exterior code enforcement program."

Some neighborhood proponents believe the stricter enforcement of city codes could be a critical step in realizing the historic neighborhood's potential and drawing new residents and businesses to the troubled area. Some estimates have put the number of vacant buildings in Over-the-Rhine at 500 or higher, with many left untended and decaying.

"The city is like the 900-pound gorilla, and they have carrots and sticks," said Chris Frutkin, whose City Center Properties owns eight buildings in Over-the-Rhine. "The message that they're trying to send is if you own property in Over-the-Rhine, and you want to rehab it, revitalize it and take care of it, we're all in favor of it."

The city departments involved include Buildings and Inspections, the city Health Department and Public Works, with Buildings and Inspections taking the lead in the program, Holston said.

Buildings and Inspections will have one inspector from its commercial division and one from its housing division who will lead and coordinate the program, said Dave Edwards, the department's acting assistant director.

Holston stressed that the city wants to work with property owners who are unable to bring their buildings up to code on their own and will help point them to city programs and divisions that could offer assistance.

"If an owner has just purchased a property and is in the process of securing financing to renovate it, it doesn't make sense to go out and write a lot of tickets," Holston said. "But if the front yard is full of litter, we expect that to get picked up."

The goal, she said, is to improve the physical appearance of Over-the-Rhine, in hopes that will spur further investment and development and, ultimately, strengthen the tax base. If the code enforcement program works well in Over-the-Rhine, it could be used in other parts of the city, too, she added.

Holston said the city views the new program as a collaborative effort between the government officials and the neighborhood. Already, the Over-the-Rhine Chamber of Commerce has endorsed the program, said Frutkin, the chamber's former president.

“As a property owner, I know they’re going to find code violations on my buildings, and on a lot of other buildings, and it’s going to cost me money,” Frutkin said. “But I’m willing to pay the price, and the other chamber members are, too.”

While city code violations aren’t the only reason for the decline of Over-the-Rhine, enforcing high standards certainly would be a step in the right direction to turning the neighborhood around, Frutkin said.

“I think we all know you have to have high standards to be successful,” he said.

Source:

Lucy May, “City to begin crackdown on OTR’s absentee owners,” *Cincinnati Business Courier*, Week of July 7, 2003, exclusive reports online. Available from http://216.239.41.104/search?q=cache:SPcCL8oEzYoJ:www.bizjournals.com/cincinnati/stories/2003/07/07/story3.html%3Fjst%3Dsrs_hl+city+to+begin+crackdown+on+otr%27s+absentee+owners&hl=en&ie=UTF-8

Township wants higher standard

By JEREMY D. JOHNSTON
STAFF REPORTER

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Columbia Township officials are getting serious about neglected properties.

Officials have been doing their homework and have learned they don't need to pass a resolution to take action on properties that are unkempt due to lackadaisical residents.

"People who don't cut their grass, leave debris ... we have ability to declare those as property nuisances," Administrator C. Michael Lemon said. "We have had repeat offenders."

"Does that mean we have to go through the process each and every time or can we shorten the time frame?" he said.

Officials have been receiving many complaints from residents whose neighbors are neglecting their property.

"What we do is look at the standard: If most people have nice trimmed, well-maintained lawns and someone else has weeds 2 feet high, this is not maintaining the standard," Lemon said. "We can take steps to do it ourselves."

According to the Ohio Revised Code – which the officials will not act upon – the trustees may clean poorly maintained properties.

To do so, the trustees must pass a resolution to take action.

The lingering question, in regard to repeat offenders, was: Does the township have to pass a resolution each time a resident repeats an offense, or can it shorten the time frame?

"If somebody has abated a nuisance, then letting it go allows (the nuisance) to happen again – I have to pass a resolution," Lemon explained.

"On the other hand, if nothing has been done to abate the problem I do not have to pass resolution."

According to the ORC: "A board of township trustees may provide for the abatement, control, or removal of vegetation,

Columbia Township has been receiving complaints regarding residents who do not maintain their properties. The Ohio Revised Code addresses what actions may be taken to ensure properties are well-kept:

505.87 Abatement, control or removal of vegetation, garbage, refuse or debris.

(A) A board of township trustees may provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the board determines that the owner's maintenance of such vegetation, garbage, refuse, and other debris constitutes a nuisance.

(B) At least seven days before providing for the abatement, control, or removal of any vegetation, garbage, refuse, or debris, the board of township trustees shall notify the owner of the land and any holders of liens of record upon the land that:

(1) The owner is ordered to abate, control, or remove the vegetation, garbage, refuse, or other debris, the owner's maintenance of which has been determined by the board to be a nuisance;

(2) If such vegetation, garbage, refuse, or debris is not abated, controlled, or removed, or if provision for its abatement, control, or removal is not made, within seven days, the board

shall provide for the abatement, control, or removal, and any expenses incurred by the board in performing that task shall be entered upon the tax duplicate and become a lien upon the land from the date of entry.

The board shall send the notice to the owner of the land by certified mail if the owner is a resident of the township or is a nonresident whose address is known, and by certified mail to lienholders of record; alternatively, if the owner is a resident of the township or is a nonresident whose address is known, the board may give notice to the owner by causing any of its agents or employees to post the notice on the principal structure on the land and to photograph that posted notice with a camera capable of recording the date of the photograph on it. If the owner's address is unknown and cannot reasonably be obtained, it is sufficient to publish the notice once in a newspaper of general circulation in the township. The owner of the land or holders of liens of record upon the land may enter into an agreement with the board of township trustees providing for either party to the agreement to perform the abatement, control, or removal before the time the board is required to provide for the abatement, control, or removal under division (C) of this section.

(C) If, within seven days after notice

is given, the owner of the land fails to abate, control, or remove the vegetation, garbage, refuse, or debris, or no agreement for its abatement, control, or removal is entered into under division (B) of this section, the board of township trustees shall provide for the abatement, control, or removal and may employ the necessary labor, materials, and equipment to perform the task. All expenses incurred shall, when approved by the board, be paid out of the township general fund from moneys not otherwise appropriated.

(D) The board of township trustees shall make a written report to the county auditor of the board's action under this section. The board shall include in the report a statement of all expenses incurred in providing for the abatement, control, or removal of any vegetation, garbage, refuse, or debris, as provided in division (C) of this section, including the board's charges for its services, notification, the amount paid for the labor, materials, and equipment, and a proper description of the premises. The expenses incurred, when allowed, shall be entered upon the tax duplicate, are a lien upon the land from the date of the entry, and shall be collected as other taxes and returned to the township and placed in the township general fund.

garbage, refuse, and other debris from land in the township, if the board determines that the owner's maintenance of such vegetation, garbage, refuse, and other debris constitutes a nuisance."

What will happen is if officials receive a complaint, they'll send a letter to the resident who owns the nuisance to tell them to remedy the situation.

If the resident fails to make

changes by the next scheduled township meeting, the administrator will put them on a list for a nuisance declaration.

"We will notify the resident that if the nuisance is not abated in seven days we have a right to go to the property and clean it, then put a lien on the property," Lemon said. The lien is to ensure the township receives payment for the rendered services.

THE REVITALIZATION OF VACANT PROPERTIES: WHERE BROKEN WINDOWS MEET SMART GROWTH



Photo: Joe Schilling

Portland's strength lies in its interaction of vacant properties into its long-range planning and housing strategies. San Diego has one of the more comprehensive code enforcement programs for abating the public nuisances associated with vacant properties. Richmond's Neighborhoods in Bloom initiative coordinates its code enforcement and rehabilitation resources and then strategically targets those resources to the neighborhoods in most need.

Portland was concerned that their abandoned structures added to crime and social ills. The city aggressively worked to transfer the ownership of vacant properties to local community development corporations for the establishment of affordable housing. Its infamous Urban Growth Boundary and related policies essentially directed growth to Portland's urban centers and existing neighborhoods which promoted infill. Portland also facilitated better coordination between departments within different levels of government to ensure compatibility between regional and local redevelopment goals. Removing regulatory barriers to revitalization and providing developers financial incentives was critical to the success of several Portland affordable housing/mixed-use projects.

San Diego's strength lies in its ability to apply a variety of strategies (incentives for rehabilitation and code enforcement remedies) to encourage private property owners to rehabilitate their substandard and vacant properties.

Richmond is an older city; their economic and social trends have contributed to the out-migration of residents to the city's suburbs, leaving behind neglected inner-city neighborhoods with many vacant buildings. Richmond's large supply of vacant and abandoned residential properties serves as a relative indicator of crime and social ills, so to reduce the city's high crime rate Richmond needs to reduce the numbers of vacant properties. The Neighborhoods in Bloom program has brought positive results through intra city cooperation, targeted investment of federal and state resources, active code enforcement, more efficient transfer of properties to community development corporations, and a companion public safety and community empowerment program. Richmond used a collaborative process to build consensus and set priorities for how and where to use limited redevelopment resources.

The complete report can be accessed from the International Cities/Counties Management Association website at <http://www2.icma.org/main/sc.asp>

About the ICMA

ICMA is the professional and educational organization for chief appointed managers, administrators, and assistants in cities, towns, counties, and regional entities throughout the world. Since 1914, ICMA has provided technical and management assistance, training, and information resources to its members and the local government community. The mission of the ICMA, is to create excellence in local government by developing and fostering professional local government management worldwide. The core beliefs of the members of the ICMA are:

- Representative democracy
- The highest standards of honesty and integrity in local governance as expressed in the ICMA Code of Ethics
- The value of professional management as an integral component of effective local government
- The council-manager form of government as the preferred form
- The value of International Association
- Ensuring diversity in local government and in the Association.



Photo: Kendra Briechele

Successful programs generally require three core management actions:

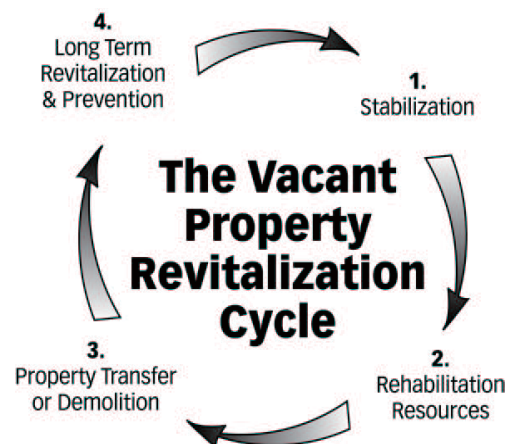
- Coordinating internal city departments into multi-disciplinary teams that share resources, prepare joint activities, and ensure that staff members understand their roles and relationships
- Building strategic partnerships and close relationships with important external stakeholders
- Designing holistic strategies that integrate the internal city staff and resources with the external players and resources

Even though the experiences of Portland, Richmond, and San Diego were diverse they still presented sufficient similarities for the study team to design cycle of vacant property revitalization.

1. Stabilization
 - Abatement
 - Investigation and owner's profile
 - Neighborhood inventories
2. Rehabilitation Resources
 - Financial resources
 - Technical assistance
 - Capacity building in property management and ownership
 - CDCs
3. Property Transfer or Demolition
4. Long Term Revitalization & Prevention (then back to one)



Photo: Norma Medina



Local governments have a number of creative ways to assist property owners and nonprofit redevelopers rehabilitate vacant properties. Cities and states can provide an array of financial incentives (tax lien, waivers, tax abatements, housing trust funds, tax increment financing, redevelopment bonds, tax credits, and small rehabilitation grants) make vacant properties more competitive. They can also encourage vacant property revitalization through a variety of regulatory changes such as permit streamlining and special building “rehab” codes. Local governments can provide technical assistance to help property owners understand the complex world of vacant property revitalization.

Successful vacant property programs depend on crafting holistic strategies, building strong partnerships, and having the right personnel and resources to manage them. These programs must further ensure they have the requisite political and community support. A successful program must also tailor its response to both the scope and severity of the vacant property problems.

Source: <http://www1.icma.org/main/ld.asp?ldid=15080&hsid=1&tpid=8>, 2001. International City/County Management Association. Joseph Schilling, Director, Community and Economic Developer.

VACANT-PROPERTY POLICY AND PRACTICE: BALTIMORE AND PHILADELPHIA

Dilapidated, abandoned, buildings and lots are a common theme in American cities. Baltimore and Philadelphia, like many other cities, face factors like; dropping population, lower income level, and limited resources creating vacancies in once thriving neighborhoods. To overcome the problems of vacant property in their cities the mayors of Baltimore and Philadelphia seek to address the issue of vacant property as a major economic undertaking. Early in 2002, Baltimore began Project 5000, a plan to acquire 5000 vacant properties in the next two years for redevelopment or demolition and Philadelphia approved \$295 million in bonds to support the Neighborhood Transformation Initiative, both programs striving to end blight and abandonment.

A paper by Paul C. Brophy and Jennifer S. Vey, “Seizing City Assets: Ten Steps to Urban Land Reform,” provides ten key action steps that state and local governments can take to promote faster and better redevelopment of vacant and abandoned properties, and ultimately improve the quality of urban neighborhoods. The ten steps are:

1. Know Your Territory-A starting point for basic information about the area. Data base of vacant property information and GIS locations of vacant properties are widely used.
2. Develop a Citywide Approach to Redevelopment-one neighborhood can influence others, a neighborhood revitalization policy must be citywide and market specific. Baltimore accomplished this by identifying four neighborhood types; Preservation, stabilization, reinvestment, and redevelopment.
3. Implement Neighborhood Plans in Partnership with Community Stakeholders-Planning for redevelopment must involve government and community interests. Investment strategies must be established with residents, organizations, businesses, and institutions.
4. Make Government Effective- Urban land reform depends on a governmental system that is effective. A fundamental system, rapid deployment of resources, effective tactics, and follow up assessments are some of the criteria for redevelopment in Baltimore and Philadelphia.
5. Create a Legal Framework for Sound Redevelopment-Successful redevelopment depends on a local government that can efficiently manage vacant property transactions.
6. Create Marketable Opportunities -Local government must be able to make vacant property feasible for redevelopment. In many cases, the city must take on tasks like, site assembly, environmental remediation, infrastructure installation, and marketing.
7. Finance Redevelopment-Limited resources causes financing for vacant properties to come from multiple subsidies from different programs. Local government in order to stimulate market-rate development activity may fund pre-construction expenses.
8. Build on Natural and Historic Assets- Creating and maintaining a distinct identity of an area



Profile: Baltimore

Population

(from 2001 census)
635,210

Ethnicity

(from 2000 census)
African-American 64.3%
White 31.6%
Asian 1.5%
Other and mixed 2.6%

Total Land Area

49,183.15 acres

Zoning

Business use
8,654.83 acres
Industrial use
15,133.89 acres
Residential use
25,394.43 acres

Housing Units

(from 2000 census)
300,477 units

Median Income

(from 1999 census)
Household \$30,078

Baltimore, the 12th largest city in the United States, is named “**Charm City**” for its resident’s well-established concern for the quality of life. Long considered a southern town, Baltimore owed much of its early growth and prosperity to its desirable location. It lay farther west than any other major Atlantic port, endearing its harbor to shippers. Baltimore now ranks fifth among United States ports, with major railways and trucking lines carrying cargoes to and from docks at Canton and Curtis Bay, as well as raw materials to the city’s many factories.

Profile: Philadelphia

Population

(from census 2000)

1,517,550

Ethnicity

(from census 2000)

African-American 44.3%

Asian 4.9%

Other 6.9%

White 46.4%

Housing Units

(from census 2000)

Total 661,958 units

Occupied 590,071 units

Vacant 71,887 units

Medium Household

Income

(from census 2000) \$30,746

In November of 1682, William Penn sailed from Great Britain to the new world on the *Welcome* and landed in Upland, near what is now Chester (South of Philadelphia). Penn named his colony Pennsylvania and began to plan the city that is known as Philadelphia, a Greek word meaning **City of Brotherly Love**. He fashioned the center of this city as a grid; streets running north and south where numbered from First to Eighth, and streets running east to west where named after trees.

In 1776, the colonies' representatives met in Philadelphia's Independence Hall to announce their freedom from Britain and to pen their names to the **Declaration of Independence**. Philadelphia, centrally located, was the capital of our country from 1790 to 1800.

Today, Philadelphia is the second largest city on the East Coast and ranks **fifth in the nation**, with a metropolitan population of 5.8 million.

Philadelphia is located 100 miles south of New York, 133 miles north of Washington, D.C., and 55 miles from Atlantic City.

can help the redevelopment process. Natural assets can make an area special and desirable for redevelopment.

9. Be Sensitive to Gentrification and Relocation Issues-A change in the economy of a neighborhood can make housing affordability a problem for some residents. Local government needs to be sensitive to displaced individuals and address their needs.
10. Organize for Success-Elected officials and local government need to set ambitious goals, and demand results. There is no 'quick-fix' for the problems of abandonment and projects must be followed through.

These ten steps provide the framework for vacant property reinvestment. Cities like Baltimore and Philadelphia lead the nation in redevelopment strategies and successes by using this type of organizational scheme.

The neighborhood planning process to be implemented in Philadelphia as a key element of the Neighborhood Transformation Initiative is intended to be:

- Open and inclusive, with a high degree of participation by residents, elected officials and community organizations
- Understandable and transparent
- Uniform and predictable from one neighborhood to the next
- Developed within the context of neighborhood, district, and citywide visions

In Philadelphia's approach, Planning Commission staff will review existing neighborhood plans with reference to NTI policies. In a neighborhood where no plan exists or where an existing plan requires updating and/or revision, a multi-agency team chaired by Planning Commission staff will oversee the development of the plan and a Planning Commission staffer will remain as a team member. Citizen participation will be supported through outreach activities.

Attracting private investment to the development of vacant property depends on public money. Most real estate developers won't venture into weak and/or untested urban markets without some public-sectors support that will increase the prospects for profitable results. Substantial government funding resources will be needed to stimulate the development of vacant properties in cities such as Baltimore and Philadelphia.

Maryland and Baltimore both offer tax incentives to support housing rehabilitation for historic properties of properties located in designated historic areas. The state provides income tax credits equal to 25 percent of rehabilitation expenditures on owner-occupied homes and income-producing properties that are designated as historic or located in certified heritage areas.

Source:

Kromer, John. 2002. Vacant-Property Policy and Practice: Baltimore and Philadelphia. A Discussion Paper prepared for the Brookings Institution Center on Urban and Metropolitan Policy. Database online. Available at <http://www.brookings.edu/es/urban/publications/kromervacantexsum.htm>

THE REVITALIZATION OF VACANT PROPERTIES: SAN DIEGO, CALIFORNIA CASE STUDY

San Diego, a very desirable city in which to live, is experiencing in a large sprawl growth which is damaging some of the area's world-class habitat and biodiversity. To accommodate the new residents moving in, San Diego will need to recycle its vacant land and underused residential properties and buildings.

San Diego's boarded buildings host unwelcome activities and leads to the spread of crime and disorder. The task force established in 1993 was designed to address the blight of abandoned homes and boarded buildings. Through a comprehensive approach that entailed a combination of incentives and deterrents and included both public a private sector partners over a long term. The task force was made up of representatives from leading institutions, title insurance companies, community groups, and real estate and apartment owner associations, along with city staff from code compliance, the city attorney's office, housing, economic development, and the planning department.

The first thing that the task force tackled was changing two pieces of legislation to increase the city's authority to mandate rehabilitation. The legislative changes were:

- Amendments to the Revenue and Taxation Code, Section 3691. It reduced the time from five years to three years that had to pass before the county could foreclose on properties whose property taxes had not been paid.
- The Revenue and Taxation Code's Sections 17274 and 24436.5 were amended so that tax deductions could be denied to dwellings that were left unoccupied or abandoned for at least 90 days. This amendment was consistent with the "stick" approach, to motivate owners to rehabilitate their properties.

The following year the task force prepared an action plan for implementation that came into effect with a two-pronged approach that used both carrots (incentives) and sticks (deterrents):

Incentives:

- The city created a new city staff position to help property owners consider options and implement solutions; develop a self-help manual for property owners; provide \$150,000 in Enterprise Community matching-grant funds for rehabilitation; and offer information on a host of resources.
- In addition, the city created its own vacant-properties resource team, led by the neighborhood code compliance department (NCCD) and the city attorney's code enforcement unit (CEU) to review complex cases on a quarterly basis and to brainstorm solutions.

Deterrents:

- San Diego revised its administrative abatement ordinance to require a property owner to file a statement of intent, a plan, and a time line within 30 days after boarding any structure.
- The statement must describe the owner's diligent, good-faith efforts to rehabilitate, such as resolving title problems, applying for a loan, or listing the property for sale. Owners who failed to

Profile: San Diego

Year Founded

1769

Population

(from 2002) 1,264,600

Ethnicity

(from 2000)

African-American 9%

Asian/Other 13%

Hispanic 24%

White 54%

Land Area of City

(from 2002) 342.4 sq miles

Land Use

(from Sept. 2000)

Residential 27%

Public/Semi-Public 32%

Commercial/Industrial 9%

Agricultural 10%

Vacant 22%

Housing Units

(from 2000) 471,162

Medium Household

Income

(from 2000) \$45,041

Latitude

32.71 degrees north

Longitude 1

17.12 degrees west

Official Motto

Semper Vigilans

(Ever Vigilant)

Official Urban Tree

Jacaranda

Official Native Tree

Torrey Pine

Official Flower

Carnation

San Diego is the second largest city in California and is the **seventh largest city** in the nation, but San Diego continues to have a comfortable small town atmosphere.



Photo: Joe Schilling

respond or who did nothing could incur a quarterly civil penalty of \$250, and/or face a misdemeanor criminal charge for failure to file a statement of intent.

The task force's final goal was to adopt the strategies – including a mix of carrots and sticks- to motivate property owners to renovate or sell their boarded buildings. By May of 1996, the San Diego City Council had endorsed the strategy and passed amendments to its abatement ordinance which was referred to as Phase One.

Phase Two, getting the right vacant properties coordinator, was accomplished in November of 1999. In February 2001, San Diego was among the first cities to receive a California Code Enforcement Incentive Grant, accomplishing Phase Three.

Program highlights:

- The overall success of this program depended heavily on the skills of the vacant-properties coordinator. It is very important that the staff builds a strong relationship with the community groups and representatives. Hiring and maintaining qualified staff is necessary.
- Cities also need strong abatement ordinances and effective code enforcement programs to stabilize sites and to abate the short-term problems caused by vacant properties.
- The key to San Diego's effective implementation has been the high level of cooperation among the vacant-properties coordinator and other city departments.
- San Diego's latest step in its history of managing growth is the Strategic Framework element of the General Plan. As mandated by state law, the city must update its general to accommodate recent 2-year population projections and the city must update the housing element of the plan ever five years.



Photo: Joe Schilling

Source:

Schilling, Joseph, and Friedman, Naomi, 2001. The Revitalization of Vacant Properties: San Diego, California Case Study. International City/County Management Association

The complete version of this article can be found at <http://www2.icma.org/main/ld.asp?from=search&ldid=15074&hsid=1>

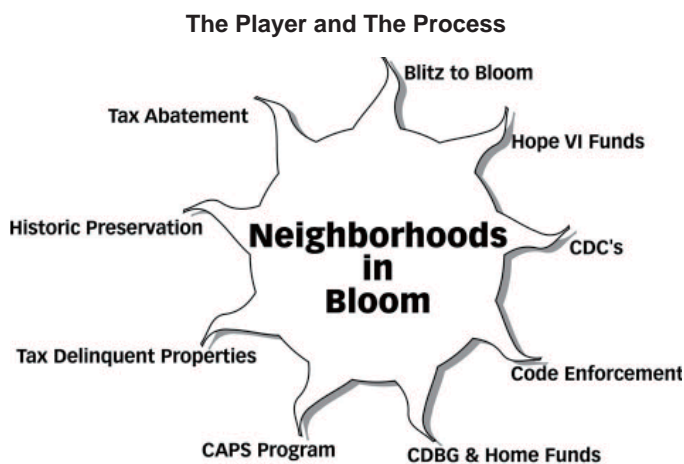
THE REVITALIZATION OF VACANT PROPERTIES: RICHMOND, VIRGINIA CASE STUDY

Richmond is an older city with an aging housing stock which leads to the out-migration of residents to the city's suburbs. This leaves behind neglected inner-city neighborhoods, many of which contain numerous vacant properties. Richmond has a large percentage of historic properties within its borders so they have to require special considerations while being renovated. Most of the time vacant and abandoned housing is major indicator of crime. Richmond's vacant-properties program evolved out of concerns about crime and public safety.

Richmond was set out to reduce blight, which is viewed as a primary indicator of crime. The city set goals to eliminate vacant houses and restore neighborhood infrastructure. Since 1999, the Neighborhood in Bloom's initiative is to target urban renewal resources at the communities in most need of reducing crime, stabilizing neighborhoods, and increasing private sector investment.

For implementation the "Neighborhoods in Bloom" project was launched. The Neighborhood in Bloom program is formed by a multiple of organization which works together toward strategic planning goals. The program focuses on: (1) restoring physical livability, and (2) improving neighborhood stability.

To restore physical livability, the city has worked to upgrade building and environmental code compliance, increase housing rehabilitations and construction, and make infrastructure improvements in targeted neighborhoods.



- "Neighborhoods in Bloom" establishes stronger links between code enforcement/nuisance abatement programs and the city's housing rehabilitation and redevelopment programs and resources.
- Within these six neighborhoods, \$8 million in neighborhood revitalization funds have been devoted over a two-year period. Richmond's goal is to target city and federal funds at selected neighborhoods in order to yield a greater and faster impact on urban redevelopment in order to have a greater impact both on these areas and the entire city.

Profile: Richmond

Population

(from 2000 census)
197,790

Ethnicity

(from 2000 census)
African-American 57.2%
White 38.3%
Other and mixed 4.5%
Hispanic 2.6%

Median Income

(from 1997, Weldon Cooper Center, University of Virginia)
Household \$23,551
Family \$29,021
Per Capita \$31,207

Unemployment

(from 2001, Virginia Employment Comm.)
4.0%

City Motto

Sic Itur Ad Astra:
"Such is the way to the Stars"

City Flower

Iris

Richmond was founded in 1737 by Colonel William Byrd II and became known himself as the "**Father of Richmond.**"

There were only 250 people living in Richmond when it became a town in 1742. In early 1780, the State Capitol was temporarily moved to Richmond from Williamsburg at the request of the General Assembly, which wanted a central location that was less exposed to British incursions. In May of 1782, eight months after the British surrendered at Yorktown, Richmond was incorporated as a city and officially became Virginia's new capital. On July 19 of that same year, Richmond's first City Charter was legalized.



Photo: Norma Medina



Photo: Kendra Briechele

- The city uses a tax abatement program to provide incentives for improving the conditions of urban properties. Under the Tax Abatement for Rehabilitated Real Estate Program, a property that rises in value by 20 percent does not need to pay property tax on the improved value for 10 years. Over the following five years, the full tax on the improved value is gradually phased in.
- For the houses that are considered vacant, Richmond transfers the ownership or Community Development Corporations take the property. Richmond tries to get tax-delinquent vacant private properties into the hands of new owners who will invest in them. The city uses a computerized system through which officials can determine the tax status of a property.
- To improve the transfer of property to new owners, Richmond can release liens for demolition and boarding costs and, since 2000, can also release its taxes on vacant property, if a new owner is purchasing it.
- In some cases, Community Development Corporations will directly acquire vacant structures or lots for rehabilitation or construction, but in most cases the Richmond Redevelopment and Housing Authority acquires the property before transferring it to the Community Development Corporations.
- The Community Development Corporations finances the construction and sells the properties to low- and moderate-income residents, using federal grant money to cover the gap.
- All neighborhoods are, at least in part, designated or nominated as state and federal historic districts in Richmond. Because of possible historical significance, the city prefers not to tear down buildings. Any demolition requires an independent engineer's report and a review by the vacant-buildings review team. Eligible buildings selected by the review team for demolition also go through a special Section 106 review per the 1966 National Historic Preservation Act. Section 106 requires special review of federal and federally assisted activities that could affect historic properties.

Richmond has really turned around with many positive economic indicators including a growing tourism business, the largest convention center in the state, currently under construction downtown, and an increase in property values in both NIB neighborhoods and in the city as a whole. Neighborhoods have stabilized to the point where businesses are expressing and increased interest in investing in urban areas.

Source:
Schilling, Joseph, and
Friedman, Naomi, 2001.
*The Revitalization of
Vacant Properties: San
Diego, California Case
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Photo: Kendra Briechele

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